

**MINUTES**  
**OF THE**  
**TRUSTEES**  
**OF THE**  
**Internal Improvement**  
**Fund**  
**State of Florida**

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**VOLUME XXII**

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**From January 1, 1939 to December 31, 1940**

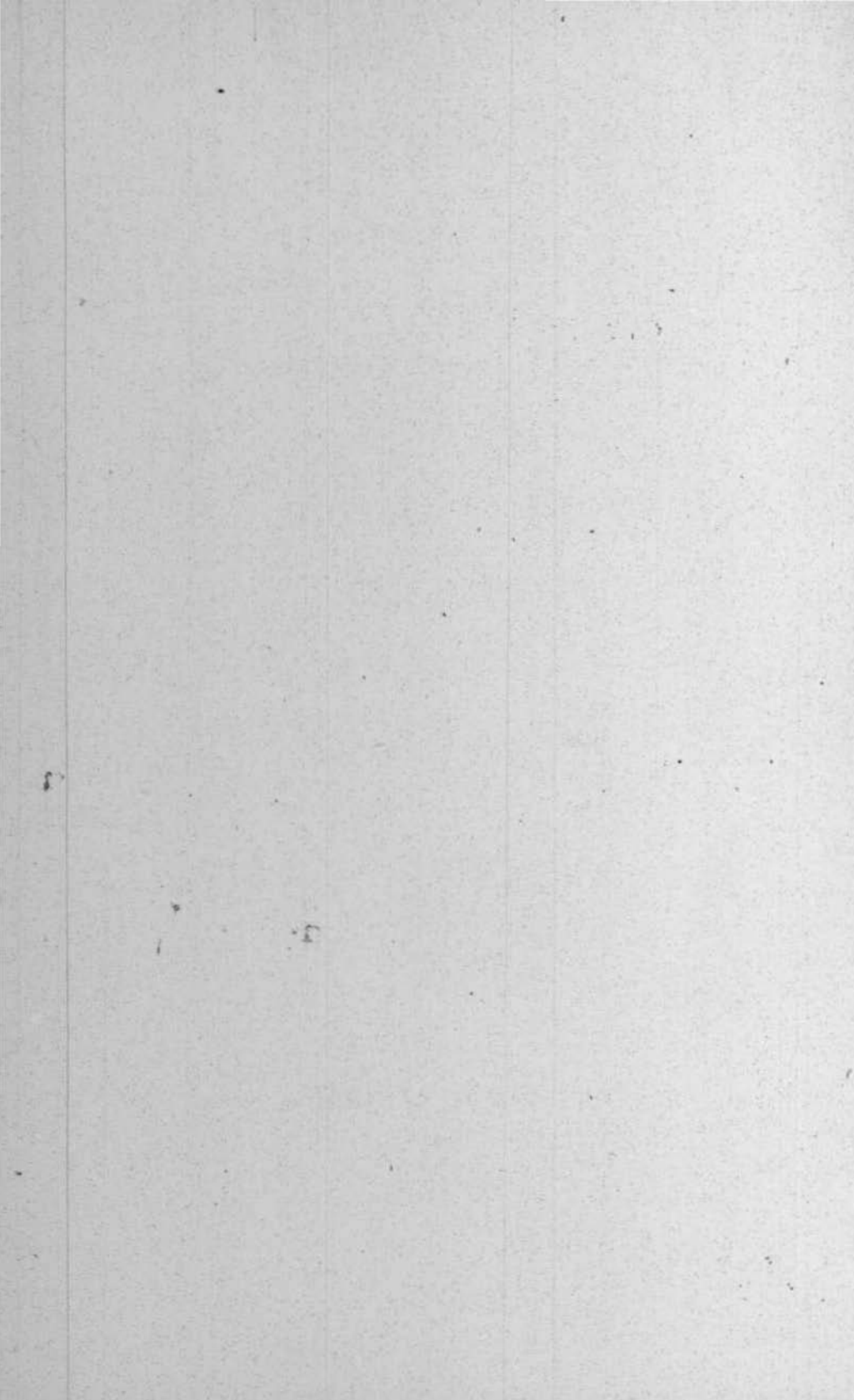
**Published Under Authority of Trustees Internal  
Improvement Fund**



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**TALLAHASSEE, FLORIDA**

**1940**





# TRUSTEES' MINUTES FOR 1939

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Tallahassee, Florida,  
January 12, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

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The Secretary submitted application from County Commissioners of Leon County requesting right-of-way over and across certain parts of the bottom of Lake Iamonia, and for permission to use material removed from the bottom of the lake in connection with making certain improvements set forth in the application.

Motion was made seconded and adopted to grant to Leon County a right-of-way four hundred (400) feet wide across a part of the bottoms of Lake Iamonia on which to construct a dam and other improvements; such permit to provide for use of material to be taken from the Lake; also to rescind a certain permit issued to said County October 10, 1935.

The Secretary was directed to prepare and have executed Permit requested.

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Financial Statement for the month of December, 1938, is as follows:

## FINANCIAL STATEMENT FOR DECEMBER, 1938 RECEIPTS

Receipts on account of various land sales .....	\$ 2,049.86
Land sales under Chapter 14572, Acts of 1929 .....	461.50
Royalties on sand, shell and gravel .....	420.52
Grazing lease .....	27.99
Fishing site lease .....	22.50

Proceeds FFMC coupons (Axel Jensen Entry No. 17839) .....	10.50	
Total receipt during month .....	\$ 2,992.87	
Balance on hand December 1, 1938.....	83,106.23	
	<u>\$86,099.10</u>	
Less disbursements (itemized below) .....	1,318.22	
Balance December 31, 1938 .....		\$84,780.88

#### RECAPITULATION

Cash and cash items .....	\$ 1,000.00	
Balances in banks .....	<u>83,780.88</u>	
		\$84,780.88

#### BALANCES IN BANKS DECEMBER 21, 1938

The Atlantic National Bank, Jacksonville, Fla. ....	\$58,206.41	
The Florida National Bank, Jacksonville, Fla. ....	17,781.36	
The Capital City Bank, Tallahassee, Fla. ....	<u>7,793.11</u>	
		\$83,780.88

#### DISBURSEMENTS

Date	No.	In Favor of:	Amount
1938			
Dec. 14,	11263	Marvin C. McIntosh .....	\$ 13.90
	11264	B. A. Bales .....	10.00
	11265	W. Hiram Lawrence .....	2.25
	11266	American Oil Co. ....	16.00
	11267	Proctor & Proctor .....	12.35
	11268	W. B. Granger .....	28.50
	11269	Burroughs Adding Machine Co. ....	7.75
	11270	Southeastern Telephone Co.....	5.20
	11271	Postal Telegraph-Cable Co.....	.81
	11272	Western Union Telegraph Co. ....	2.22
21,	11273	E. B. Leatherman, C.C.C. ....	15.60
31,	11274	F. C. Elliot .....	400.00
	11275	F. E. Bayless .....	250.00
	11276	Jentye Dedge .....	175.00
	11277	M. O. Barco .....	175.00
	11278	H. L. Shearer .....	50.00
	11279	M. C. McIntosh .....	63.15
	11280	Tyrus A. Norwood .....	80.00
	11281	Standard Oil Co. ....	10.49
		Total Disbursements during December, 1938 .....	<u>\$ 1,318.22</u>

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
January 17, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.  
F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees dated December 14, 20, 21 and 28, 1938, presented and approved.

Application was presented from John Stanley Anderson offering \$5.50 an acre for the N $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 22, Township 5 South, Range 15 East, Suwannee County, located approximately nine miles East of O'Brien.

Motion was made seconded and adopted to refer the application to the Field Agent for report as to the character of the land and the amount of timber thereon. Action deferred pending report.

The Trustees declined offer of \$125 an acre from W. E. Walsh, Jr., Miami, to purchase two and one-fourth acres of submerged bottoms at the north end of Biscayne Bay.

Offer of fifteen cents (15c) a cup was submitted from C. A. Tompkins, Hilliard, for four year turpentine lease on the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 22, Township 3 North, Range 24 East, — 80 acres in Nassau County.

Mr. Bayless reported that L. W. Pickett, Timber Agent for Nassau County, furnished information that this timber has been worked for the past two years and there are now 615 cups on the eighty acres. Upon evidence submitted by the Land Office, Mr. Pickett arrested Mr. Tompkins in June, 1938 for trespass and he is now under bond. Mr.

Tompkins' application is for four year lease for which he agrees to pay fifteen cents per cup.

Motion was made seconded and adopted that the Trustees decline to lease the timber for a period of four years, but it was agreeable to grant a lease for a two year period based on a price of fifteen cents a cup.

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Mr. Bayless reported that information has been furnished from Clerks of four counties in the State that individual tax certificates have been issued against lands on which the Trustees hold purchase money mortgages; that unless such certificates are redeemed tax deeds will be issued against the property.

Motion was made seconded and adopted that the Trustees redeem the tax certificates against the land held under mortgages as follows:

Individual tax sale Certificate #17987 of 1933,  
held by E. B. Arnold and Elizabeth Gran, on  
Lot 2, Section 30, Township 28 South, Range 38  
East, Brevard County, covered by Entry #17582  
—Amount necessary to redeem \$7.20.

Individual tax sale Certificate #8011 of 1928  
#9981 of 1931  
#40227 of 1933  
held by C. R. Lee on the N $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section  
18, Township 58 South, Range 37 East, Dade  
County, covered by Entry #17305—Amount  
necessary to redeem \$71.56.

Individual tax Certificate #1265 of 1931, held  
by R. W. Stewart on the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec-  
tion 15, Township 18 South, Range 28 East, Lake  
County, covered by Entry #17419—Amount  
Necessary to redeem \$17.65.

Individual tax sale certificate held by J. W.  
Foley on the S $\frac{1}{2}$  of S $\frac{1}{2}$  West of railroad in  
Section 5, Township 28 South, Range 26 East,  
Polk County, covered by Entry #17218—  
Amount necessary to redeem \$22.98,  
and checks were ordered drawn in favor of Circuit Court  
Clerks of the respective counties.

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Thomas H. Horobin on behalf of clients submitted the  
following offers for submerged bottoms lying adjacent to  
upland ownership:

M. Jay Flipse offers \$200 an acre for 18.5 acres  
adjacent to Block 1, South Elmira S/D of Sec-



tion 18, Township 53, South, Range 42 East—  
Dade County;

F. J. Simpson offers \$200 an acre for 17.2 acres  
adjacent to upland in Section 18, Township 53  
South, Range 42 East—Dade County;

Douglas Felix offers \$200 a acre for 9.8 acres  
adjacent to Block 4, South Elmira S/D of Sec-  
tion 18, Township 53 South, Range 42 East—  
Dade County.

Motion was made seconded and adopted to hold for  
further consideration the offers submitted by Mr. Horo-  
bin on behalf of clients.

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Mr. Thomas H. Horobin requested that the Trustees  
prepare deed in his favor as agreed on August 12, 1937,  
providing for substitution of description as contained in  
Deed #18128 to North Beach Realty Company. Mr.  
Bayless explained that at the August 12th meeting the  
Trustees agreed to re-locate a tract of land which had been  
given Mr. Horobin in adjustment of a credit allowed for  
land losses claimed on Biscayne Point involving an area  
of thirty-one acres. Request is now made that deed be  
issued to him conveying approximately twenty-one acres  
north of the thirty-one acre tract, and in view of differ-  
ence in acreage Mr. Horobin applies for lease on certain  
bay bottoms from which to secure material for filling  
purposes.

The City of Miami Beach having requested notice of  
any applications made to the Trustees for fill material  
in that locality, motion was made, seconded and adopted,  
that action be deferred on Mr. Horobin's applications until  
notice can be given the City of Miami Beach.

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Attorney General Gibbs, through Assistant Lawrence  
A. Truett, called attention of the Trustees to a Resolu-  
tion recently introduced in Congress by Senator Nye of  
North Dakota, providing for transfer of title to the United  
States in all coastal lands of Florida, and other States,  
within the three mile limit. A similar resolution was  
introduced last session but failed of passage in the House,  
was re-introduced in the Senate recently and will doubt-  
less be referred to a Committee for hearings.

The Attorney General feels that this is a very important  
matter and that the State should take steps to have the  
resolution amended so as not to apply to Florida.

Upon discussion, motion was made seconded and adopted  
to refer the subject to the Attorney General with authority

to take whatever steps he deems necessary to protect the interest of the State in its coastal lands and if advisable to send representatives to Washington to appear before the Committee to which the resolution will be referred.

Mr. Louis Hall and Mr. Stafford Caldwell of Tallahassee, and Mr. W. G. Blanchard of Miami, came before the Trustees and submitted application for permit to make geophysical and geological surveys on approximately 103,000 acres of State land in Monroe County, described in proposal dated December 7, 1938, in which also request is made for oil lease on certain of the lands explored. Check for \$1,000 accompanied applications as deposit and part payment for the first quarter on oil lease and permit.

Attorneys for Mr. Blanchard furnished information as to his past efforts in the interest of oil development in Florida and the work proposed to be carried on under the proposed permit and lease. Also it was stated that under the terms of the proposal, Mr. Blanchard would be obligated to pay the Trustees the sum of \$5,000 quarterly in advance.

Upon discussion, motion was made seconded and adopted that action be deferred on application of Mr. Blanchard until such time as a full membership can be present. Also that the Secretary submit to the Attorney General memorandum on the subject.

Letter was read from Drake and Reeder, Miami, reporting progress being made with well they are drilling in the Miami area.

Mr. Bayless submitted application from F. C. B. LeGro of Miami for adjustment of Entries No. 18154 and No. 18155 conveying approximately 750 acres of submerged bottoms north of 79th Street Causeway in Miami, for which he agreed to pay \$350 an acre, one-fourth of the purchase price having been paid when deeds and mortgages were executed in 1925. Information was furnished that through objections to proposed development by Mr. LeGro he was unable to meet his obligations; that in 1931 the Trustees reduced the price of the land from \$350 to \$187.50 an acre but owing to conditions at that time and since payments have not been met and Mr LeGro is asking that the Trustees revert to the \$350 an acre basis, deed him land on each side of the Causeway equal to payments made and allow him to reconvey to the State, free and clear of all liens, the remainder of the tract.

Motion was made seconded and adopted that the Trustees deed Mr. LeGro land equal to payments made and



accept reconveyance of the remainder, free and unencumbered; that Mr. Elliot and Mr. Bayless work out the area to be deeded and submit description to the Trustees for approval.

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Mr. Balless submitted report dated January 10th from S. S. Savage, Field Agent, on timber located on State land in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 26, Township 2 North, Range 12 East, containing 12.5 acres in Hamilton County, estimating the growth to be 18,000 feet of pine and 1,000 feet of gum. Offer of \$6 an acre was received from George Brantley for this land.

Motion was made seconded and adopted that a price of \$200 be placed on the land applied for by Mr. Brantley and that his offer be declined.

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Report was submitted from S. S. Savage, Field Agent, covering timber located on State land described as all of Section 35 and Section 36, except N $\frac{1}{2}$  of NE $\frac{1}{4}$ , Township 2 North, Range 18 East, Columbia County, estimating the growth thereon to be 140,000 feet of Cypress and 30,000 feet of pine.

Upon consideration of the report and the offer of \$600 submitted December 15, 1938 from G. A. Buie, Jr., Lake City, on behalf of client Emory Carter, for a timber lease on the land, motion was made seconded and adopted that action be deferred on this application.

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The Secretary presented offer of \$342.35 from C. M. Sandusky for the equity of the Trustees in 150 acres of land in Section 25, Township 49 South, Range 41 East, Broward County, represented by Everglades Drainage District tax sale Certificate No. 1308 Sale of 1929, value of which is \$311.25. Affidavit was submitted showing applicant to be owner of the land at time of tax sale.

Motion was made seconded and adopted to accept \$342.35 for the equity of the Trustees in Everglades Drainage District Tax Certificate No. 1308 and deed was ordered issued to Mr. Sandusky covering the State's equity in the N $\frac{1}{2}$  of NE $\frac{1}{4}$  & SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and N $\frac{3}{4}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25, Township 49 South, Range 41 East.

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Application was presented from Right-of-Way Department of Dade County requesting reduction in price of \$11.67 quoted as the value of Everglades Drainage District tax sale certificate held by the Trustees on ten acres

of land in Section 23, Township 56 South, Range 38 East, Dade County.

Upon motion seconded and adopted, the Trustees agreed to deduct the \$10 fee charged as expense in the handling of the sale, and make a charge of only the actual value of the Certificate—\$1.67.

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Mr. Elliot submitted letter from R. W. Hudgens, Regional Director, U. S. Farm Security Administration, outlining plans for housing migratory labor in the State, especially in the Everglades region. Suggestion was made that the State owns a very favorable location for such project, being 160 acres in Section 29, Township 43 South, Range 37, East and Lots 27 and 28 in Section 31, Township 43 South, Range 37 East, containing 40 acres in the town of Belle Glade. It was represented that if suitable land is made available the Government will construct houses and quarters for laborers, and thereby relieve the existing over-crowded and unsanitary living conditions.

Upon discussion the Trustees were of the opinion that the tracts mentioned could not be made available for the housing project outlined, the land in Section 29 having been reserved for use in connection with the State Farm at Bell Glade, and the two lots in the town of Belle Glade being considered of more value to the State as farming land or as building sites.

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Mr. Bayless submitted application from C. N. Ashmore, Attorney of Tallahassee, on behalf of client West Dade Oil Company, for oil lease on lands owned by the Trustees in Townships 55, 56, 57, 58, and 59 South, Ranges 31, 32, 33 and 34 East.

Motion was made seconded and adopted to defer action on application from West Dade Oil Company, it being the opinion of the Trustees that a full membership should be present to pass on this question.

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Request was submitted from A. D. Barnes, Park Superintendent for Dade County, for permission from the Trustees to clean up, landscape and beautify for park purposes a track owned by the State on Miami Canal, known as the Lock Site.

Motion was made, seconded and adopted, that request of Dade County Park Superintendent be granted and that the Secretary prepare permit in favor of the County Commissioners of Dade County, authorizing use of the Lock site tract in the city limits of Miami.

The Secretary reported that on December 14, 1938 offer of \$1,000 was submitted from Wayne Thomas as former owner, requesting reconveyance of certain land in Hillsborough County, which vested in the Trustees through foreclosure under Chapter 14572, Acts of 1929. The Trustees deferred action and requested that the County Commissioners of Hillsborough County be asked for their recommendation. Mr. Elliot stated that he had made inquiry of the Hillsborough County Board and had received letter from the Clerk of the Court dated December 30, 1938, stating that Mr. Thomas had withdrawn his offer and it would therefore not be necessary to take any further action.

The following bills were approved and ordered paid:

Southeastern Telephone Co., Tallahassee, Fla. ....	\$ 10.55
Western Union Telegraph Co., Tallahassee, Fla. ....	2.54
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	6.24
Capital Office Equipment Co., Tallahassee, Fla. ....	5.10
Proctor & Proctor, Inc., Tallahassee, Fla. ....	5.45
F. E. Bayless, Land Clerk, Tallahassee, Fla., Expenses .....	21.40
M. C. McIntosh, Asst. Atty. General, Tallahassee, Expenses .....	20.35
Mrs. D. S. Weeks, C. C. C., Moore Haven, Fla. ....	5.00
L. J. Thorp, Sheriff, Everglades, Fla. ....	13.20
W. Hiram Lawrence, Sheriff, West Palm Beach, Fla. ....	29.00
Glades Printing Co., Moore Haven, Fla. ....	15.00
D. C. Coleman, Sheriff, Miami, Fla. ....	1.85
Rex Sweat, Sheriff, Jacksonville, Fla. ....	3.70
Pinellas County Title Co., Clearwater, Fla. ....	210.75
S. S. Savage, Field Agent, Ocala, Fla., Expenses .....	80.65
American Oil Company, Jacksonville, Fla. ....	21.05
G. M. Simmons, C. C. C., Titusville, Fla., Redemp- tion of tax certificate No. 17987 .....	7.20
D. H. Sloan, Jr., C. C. C., Bartow, Fla., Redemp- tion tax certificate on Entry No. 17218 .....	22.98
George J. Dkes, C. C. C., Tavares, Fla., Redemption of tax certificate No. 1265 .....	17.65
E. B. Leatherman, C. C. C., Miami, Fla., Redemp- tion tax certificates Nos. 8011, 9981, 40227 .....	71.56
	<hr/> \$571.22

Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,

Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot, \_\_\_\_\_  
Secretary.

Tallahassee, Fla.  
January 19, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor in the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Mr. Bayless reported that pursuant to action taken by the Trustees January 17th, telegram was sent to the city of Miami Beach, giving notice of application from Thomas H. Horobin for securing fill material from Biscayne Bay in the vicinity of Biscayne Point, but that no reply had had been received from the City.

Upon consideration of the application, motion was made, seconded and adopted, to execute lease to Mr. Horobin providing for removal of fill material from an area in Biscayne Bay adjacent to land heretofore purchased by him, description of the area for lease to be checked and approved by the Engineer.

Also, motion was made, seconded and adopted, to issue new deed to Mr. Horobin conveying an area of twenty-one (21) acres of sovereignty land in lieu of tract conveyed in Deed No. 18128 containing 31 acres, substituting therefore a description located approximately between four hundred and eight hundred feet north of the parcel in Deed 18128. This substitution was agreed to by the Trustees August 12, 1937. It was ordered that the new description when approved by the Engineer be advertised for objections.

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Upon motion, duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.



Tallahassee, Florida,  
January 24, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. E. Bayless, Land Clerk.

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Offer of \$200 an acre was received from Charles E. Fisher on behalf of client, William F. Gorman, for the purchase of 2.48 acres of sovereignty land in Section 33, Township 31 South, Range 16 East, located in the town of Gulfport, Pinellas County, adjacent to upland of Mr. Gorman.

Motion was made, seconded and adopted, to accept offer from Mr. Gorman of \$200 an acre for the submerged tract adjacent to his upland, subject to the land being advertised for objections as required by law. Applicant to pay cost of publication.

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Mr. Bayless reported that the Land Office has been notified of individual tax certificate against land on Long Key described as Lot 2, Section 27, Township 64 South, Range 35 East, Monroe County, covered by Entry No. 17566 to D. Z. Filer. Certificate is held by Bernice M. Goetz and the amount necessary to redeem is \$161.86.

Motion was made, seconded and adopted, that the Trustees redeem tax certificate on the land described and that check for \$161.86 be issued and forwarded to the Clerk of the Circuit Court of Monroe County to take up such certificate.

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Offer of twenty-five cents an acre was submitted from G. W. Swinney, Moore Haven, for grazing lease on approximately ten acres of marginal land lying between the meander and the State dyke adjacent to his property in Section 12, Township 42 South, Range 32 East, Glades County.

Motion was made, seconded and adopted, to grant grazing lease to Mr. Swinney for a period of one year upon payment of twenty-five cents an acre annually.

Application was received from Pearce Brothers, Okeechobee, for two year grazing lease on 2,283.54 acres of State land in Glades County between the Kissimmee River and Indian Prairie Canal, with an offer of fifteen cents an acre annually for such lease.

Motion was made, seconded and adopted, to lease for grazing purposes the land applied for by Pearce Brothers for a period of one year upon payment of fifteen cents an acre, provided there was no conflict with the area leased to Pearce Sisters.

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Upon motion seconded and adopted, the Trustees agreed to grant grazing lease to J. T. Hancock for a period of one year on 253 acres of land in Section 32, Township 37 South, Range 35 East, and in Section 5, Township 38 South, Range 35 East, Okeechobee County. Payment to be fifteen cents (15c) an acre annually.

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Application was presented from S. J. Davis, Okeechobee, with offer of fifteen cents (15c) an acre for one year grazing lease on 212 acres of State land in Section 32, Township 37 South, Range 35 East, and in Section 5, Township 38 South, Range 35 East, Okeechobee County.

Motion was made seconded and adopted to accept offer from Mr. Davis and grazing lease for one year was authorized upon payment of fifteen cents (15c) an acre annually.

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Mr. Bayless presented application from Edith M. Miles, Tallahassee, to purchase Conch Key, adjacent to Overseas Highway in Monroe County, for which an offer of \$1,000 is made.

Information was furnished that a legislative Act of 1905—Chapter 5595—granted a four hundred foot right-of-way to any railroad company that would construct a railroad from the mainland to Key West and this right-of-way was acquired by Florida East Coast Railway in July 1905. Excluding this right-of-way there are about two acres owned by the State on the Key.

Motion was made, seconded and adopted, to decline offer of Edith M. Miles for Conch Key.

The Land Clerk reported that there are a number of Land Contracts delinquent in payments and the purchasers refuse to make payment or evidence any interest in their obligations.

Motion was made, seconded and adopted, that the Land Department take the necessary steps to cancel contracts



in the event settlement cannot be arranged, each case to be reported on individually when contract is to be canceled.

Statements were submitted of taxes due on land owned by the Trustees in the following sub-drainage districts:

South Florida Conservancy District .....	\$11,976.62
Pahokee Drainage District .....	1,499.85
Pelican Lake Sub-Drainage District .....	2,808.00
	<u>\$16,284.47</u>

Mr. Bayless reported that of the \$11,976.62 due South Florida Conservancy District, a part of this amount represented taxes against mortgaged lands held by the Trustees, and the purchasers have failed or refused to pay taxes on such lands.

Motion was made, seconded and adopted, to pay taxes due by the State on lands in Pelican Lake Sub-Drainage District and Pahokee Drainage District in order to take advantage of the 2% discount allowed during January, but payment of South Florida Conservancy District taxes was held up until further effort can be made to secure payment from contract purchasers of taxes due on lands under such contracts.

The following bills were approved and ordered paid:

F. C. Elliot, Engineer and Secretary—Salary for January .....	\$ 400.00
F. E. Bayless, Land Clerk, Salary for January .....	275.00
Jentye Dedge, Clerk and Stenographer—Salary for January .....	175.00
M. O. Barco, Clerk and Stenographer—Salary for January .....	175.00
H. L. Shearer, Clerk in Land Office—Salary for January .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—Salary for January .....	200.00
Ross C. Sawyer, C. C. C., Monroe Co., Key West, Fla.—To purchase of tax deed on mortgage land Entry No. 17566 .....	161.86
Pahokee Drainage District, Canal Point, Fla.—To Pahokee Drainage District taxes on Trustees' lands in the Dis- trict for 1938 .....	\$1,499.85
Less 2% discount during January .....	29.99
	<u>1,469.86</u>

Pelican Lake Sub-Drainage District, Ca-  
nal Point, Fla.—To Pelican Lake  
Sub-Drainage District taxes on Trus-

tees' lands in the District for 1938	\$2,808.00
Less 2% discount during January	56.16
	<hr/> 2,751.84
	\$5,658.56

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

Jentye Dedge,  
Acting Secretary.

Tallahassee, Florida,  
January 31, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Approval of Minutes postponed until next meeting.

Secretary of State R. A. Gray presented telegram from Ross Williams of Miami, requesting that no disposition be made of Conch Key in Monroe County until he can be heard and submit a bid. A similar telegram from Mr. Williams to the Governor was read and the Governor requested that he be advised before any action is taken with reference to lease or sale of this Key.

The Trustees having declined an offer of \$1,000 presented January 24th from Edith M. Miles, motion was made, seconded and adopted, that no action be taken in reference to this Key until the Governor has an opportunity to be present.

Supplemental report was presented from S. S. Savage, Field Agent, with reference to timber applied for by G. A. Buie of Lake City on behalf of client, Emory Carter. Mr. Savage reports the number of trees on the tract as 304,000 feet of cypress and 40,000 feet of pine.

Upon consideration of the bid submitted by Mr. Buie, motion was made, seconded and adopted, to decline this offer of \$600 for timber lease on the tract.

Mr. Bayless presented letter from H. O. Sebring submitting the following proposal to the Trustees:

"That from his General Lease No. 18368 granted March 4, 1936 for a period of ten years, he desires to release 120 acres of land in Section 34, with rental price of \$3 and \$1 an acre annually, and take option for six months to buy 50 acres of the land at a price of \$75 an acre; that by reason of release of the 120 acres, he would receive a reduction in rental of \$220 annually."

Mr. Sebring states that he has interested celery growers in experimenting with celery growing on this land, but it will take six months to perfect the plans.

Information was furnished that the Seaboard Railroad has constructed a spur track, or extension of the line, to this property and W. R. Canova, their representative, requests favorable action on this application so that a profitable development may be opened up in that section.

Motion was made, seconded and adopted, to allow Mr. Sebring to release from his lease No. 18368 the 120 acre tract in Section 34 as requested but declined to give a six months option to buy the 50 acres at a price of \$75 an acre, however it was agreeable to give a six months option to buy 50 acres at a price of \$125 an acre. Also if release and option to buy is agreed on, the terms of the lease will be changed from General to a Grazing lease with the annual rental reduced \$220. All other terms and conditions to remain in effect.

The Trustees having agreed December 14, 1938, to sell certain submerged land in Pinellas County to David A. Watt at a price of \$200 for the fraction of an acre, and the area having been ordered advertised for objections, the following Notice was published in the Clearwater Sun December 30, 1938, January 6, 13, 20 and 27, 1939:

### NOTICE

Tallahassee, Florida, December 28, 1938

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, January 31, 1939, at Tallahassee, Florida to consider the sale of the following described land located in PINELLAS County, Florida:

That parcel of submerged or semi-submerged land on the East side of Boca Ceiga Bay in Sections 1 and 12, Township 31 South, Range 15 East, described as follows:

Beginning at the meander corner on the Section line between Sections 1 and 12, which said meander corner is the southwest corner of Lot 3 of Section 1 and the northwest corner of Lot 1 of Section 12, on the East side of Boca Ceiga Bay in Township 31 South, Range 15 East; from said point of beginning thence South 8 degrees West, 136.3 feet along the United States Government Meander; thence East 125 feet; thence North 195 feet; thence East 123.3 feet to the intersection with meander; thence South 19 degrees East, 63.5 feet along meander to point of beginning. Containing 0.6 acres, more or less, and all lying and being in Pinellas County, Florida. Exact description to be furnished with deed.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

Attest: F. C. Elliot, Secretary.

No objections having been presented or filed, the land as described was sold to David A. Watt for the sum of \$200 plus cost of advertising.

The Secretary submitted offer of \$12.37 from John M. Lee, Homestead, for equity of the Trustees in  $W\frac{1}{2}$  of  $E\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$  of Section 14, Township 56 South, Range 39 East—10 acres in Dade County, which equity is represented by Drainage Tax Certificate No. 5289, Sale of 1928, amounting to \$2.37. Evidence was submitted that applicant is not the original owner but has acquired the property through tax deed.

Motion was made, seconded and adopted, to decline offer of \$12.37 but it was agreed to accept \$15 for the interest the Trustees have in the land.



Motion was made, seconded and adopted to accept \$180.18 offered by Thad Whidden, on behalf of client P. M. Cates, Inc., for equity of the Trustees in the E½ of NW¼ of SE¼ of Section 29, Township 42 South, Range 37 East—14 acres in Palm Beach County—which equity is represented by Drainage Tax Certificate No. 1192, Sale of 1927, amounting to \$126.89. The applicant was the owner of the land at time of tax sale, or had acquired all rights of former owner.

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
February 15, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.  
F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. W. P. Shelley, Tallahassee, presented application to the Trustees for timber located on State land in and adjoining Lake Miccosukee in Jefferson County, offering \$3 a thousand stumpage for Gum and \$5 a thousand for Cypress.

The Trustees not being advised as to the amount of timber on the land, action was deferred and motion was made, seconded and adopted, that Mr. Bayless make an investigation of the tract and submit report.

Mr. Elliot reported that protest had been entered on behalf of the Trustees against issuance of permit by the War Department to Tom M. Bryan for dredging material from New River, New River Sound and Stranahan River, easterly of the Intracoastal Waterway channel, a part of which water bottoms are controlled by the State; that since filing of objection, Mr. Bryan has furnished the

Trustees with Surety Bond in amount of \$5,000 as guarantee of payment at the rate of five cents (5c) per cubic yard for any and all material removed from State property. It is recommended that objection to the permit be withdrawn.

Motion was made, seconded and adopted, that the Trustees withdraw objection filed against issuance of War Department permit in favor of Tom M. Bryan permittee to make reimbursement to the Trustees at the rate of Five Cents per cubic yard for all material removed from areas controlled by the State.

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Offer of \$257.10 was submitted from Kelsey City Land Company for the purchase of twenty-two lots in Kelsey City formerly owned by said Company, which lots vested in the Trustees through foreclosure by Palm Beach County of State and County tax sale certificates under Chapter 14572, Acts of 1929. Accompanying such offer was Resolution adopted by Board of County Commissioners of Palm Beach County recommending that the Trustees accept the offer made, which represents twenty-five cents on the dollar of all taxes outstanding against the land and costs of foreclosure, the County agreeing that the equity of the State and the Trustees be paid in full. The County agrees to stand the loss in taxes, attorney's fees and costs in order that the land may be put back on the tax rolls.

Upon motion seconded and adopted the Trustees agreed to accept the recommendation of the County Commissioners the offer of Kelsey City Land Company for the Lots described in Master's Deed 574, Palm Beach County, such offer paying in full the State's equity in the lands and the fee charged by the Trustees for handling.

The Trustees directed that deed be issued to Kelsey City Land Company and forwarded to A. A. Poston, West Palm Beach, who presented the application and resolution.

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The Land Clerk reported that notice has been received that six individual tax certificates are held by J. D. Bryan and M. A. Hortt covering Lots 3 and 4, Tier 51, Section 22, Township 50 South, Range 41 East, Newman's Survey, Broward County, on which lots the Trustees have Mortgage No. 17389 in the name of Greenlawn Realty Company. Amount necessary to redeem the six certificates is \$26.24.

Motion was made seconded and adopted that the Trustees redeem the individual tax certificates held by Bryan and Hortt and that check in the amount of \$26.24 be



issued to E. R. Bennett, Clerk of the Circuit Court, Broward County, for such redemptions.

Application was presented from Herbert D. Beck on behalf of client A. A. Patrick for release of reservations on Lots 114 and 115, Town of Belle Glade. An offer of \$10 was submitted for the release.

Motion was made, seconded and adopted, that the Trustees grant release of reservations on Lots 114 and 115, Belle Glade, upon payment of \$10.

Upon application from D. W. Boydston, offering \$5 for a five year lease, and from H. A. Barr of Lake Worth with an offer of \$6 a year for a four year lease, motion was made, seconded and adopted, that leases be allowed applicants on the following terms:

To D. W. Boydston a four year general lease on approximately four (4) acres of marginal land between his property and the waters of Lake Osborne at a price of \$3 an acre annually.

To H. A. Barr a four year general lease on approximately two (2) acres of marginal land adjacent to his property on Lake Osborne at a price of \$3 an acre annually.

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An offer of \$10 an acre, plus all drainage taxes, was submitted from James A. Dew for all that part of Section 29, Township 44 South, Range 38 East, Palm Beach County, lying west of Hillsboro Canal.

Motion was made, seconded and adopted, to defer action on Mr. Dew's application pending investigation of the land.

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Upon motion seconded and adopted, the Trustees declined request of Henry S. Gove to use credit of \$97 he holds with the Trustees in payment for twenty (20) acres of land in Fractional Section 7, Township 40 South, Range 33 East, Glades County.

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Action was deferred on proposal from West Dade Oil Corporation for Oil lease in Dade County.

Application was received from Ross Williams, Miami, for purchase of Conch Key in Monroe County with an offer of \$1200.

Motion was made, seconded and adopted, to decline offer of \$1200 for Conch Key.

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Application was received from Guy Winthrop, Tallahassee, offering fifteen (15) cents an acre for grazing lease

on tract of land owned by the Trustees by virtue of tax title, located on Lake Hicpochee in Glades County, containing approximately 1,000 acres.

Motion was made, seconded and adopted, to decline offer of fifteen cents an acre, but it was agreed to lease the land applied for at a price of twenty-five cents an acre for one year.

Letter was presented from J. D. Burnsed, County Superintendent of Public Instruction for Baker County, Macclenny, offering fifty (50) cents an acre for the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, Township 1 South, Range 21 East—40 acres in Baker County—to be used in connection with agricultural and soil conservation classes of Taylor High School.

Upon motion seconded and adopted, the Trustees declined to sell the land at the price offered, but it was agreed to grant a permit for a term of five years at an annual rental of \$1.00, the land to be used in connection with Taylor High School classes in agriculture and soil conservation.

Mr. McIntosh, Assistant Attorney General and Mr. Bayless, Land Clerk, reported that foreclosure of Mortgage No. 17996 from N. N. Starling had been completed and that the land had been bought in by individuals, the sale bringing a sufficient amount to reimburse the Trustees for principal of the mortgage plus cost of foreclosure. That in connection with foreclosure of this mortgage, which was ready for final decree in June 1938, Elmore Cohen, representing N. N. Starling, had applied to the Trustees for six months extension or delay in securing such decree, for which extension he paid \$364. It was understood that if Mr. Starling made payment of all amounts due on the mortgage during the six months' extension, together with costs of foreclosure, he would be given credit for \$364 and secure release of his mortgage.

Information was given that Mr. Starling did not buy in the land at foreclosure, and Mr. Cohen is now asking for refund of amount paid for extension.

Motion was made, seconded and adopted that the Trustees decline to refund amount of \$364 paid by client of Mr. Cohen, unless additional evidence can be submitted that would justify the Trustees in making such refund.

Mr. Bayless presented letter from Drake and Reeder, Miami, requesting renewal of mineral oil lease issued to them which will expire in April 1939, submitting that they have been handicapped in their oil explorations on

account of continued operations under the old Price-Williams Oil lease.

Upon discussion it was decided that no action be taken at this time.

The following bills were approved and ordered paid:

M. C. McIntosh, Asst. Atty. General, Tallahassee, Fla. ....	\$ 33.60
F. E. Bayless, Land Clerk, Tallahassee, Fla. ....	22.06
S. S. Savage, Field Agent, Ocala, Fla. Expense Acct. ....	263.88
W. B. Granger, Belle Glade, Fla. ....	30.85
Southeastern Telephone Co., Tallahassee, Fla. ....	14.20
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	.70
Western Union Telegraph Co., ....	4.41
Rose Printing Company, Tallahassee, Fla. ....	13.75
Proctor & Proctor, Inc., Tallahassee, Fla. ....	25.27
Cincinnati, Office Supply Co., Cincinnati, Ohio ....	12.00
Clearwater Publishing Co., Clearwater, Fla. ....	9.00
American Oil Company, Jacksonville, Fla. ....	17.99
Standard Oil Company, Jacksonville, Fla. ....	10.71
Wm. Logan Hill, Clerk U. S. Dist. Court, Pensacola, Fla. ....	2.00
George O. Butler, C. C. C., West Palm Beach, Fla. ....	.50
B. A. Bales, Moore Haven, Fla. ....	10.00
W. Hiram Lawrence, Sheriff, West Palm Beach, Fla. ....	29.00
Glades Printing Company, Moore Haven, Fla. ....	18.15
The Everglades News, Canal Point, Fla. ....	24.00
W. L. Watford, Sheriff, Marianna, Fla. ....	2.35
E. R. Bennett, C. C. C., Ft. Lauderdale, Fla. ....	26.24
	<u>\$570.66</u>

Financial Statement for the month of January 1939 is as follows:

#### FINANCIAL STATEMENT FOR JANUARY, 1939 RECEIPTS

Land sales under Chapter 14717,	
Acts of 1931 .....	\$ 367.35
Royalties on sand, shell and gravel .....	475.36
Farm lease .....	4,123.20
Grazing lease .....	7.50
Quit claim for canal reservations .....	7.50
Total receipts during month .....	\$ 4,980.91
Balance on hand January 1, 1939 .....	84,780.88
	<u>\$89,761.79</u>
Less disbursements (itemized below) ...	6,229.78
Balance January 31, 1939 .....	<u>\$83,532.01</u>

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## RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	82,532.01
	<u>\$83,532.01</u>

## BALANCES IN BANKS JANUARY 31, 1939

The Atlantic National Bank, Jackson- ville, Fla. ....	\$56,946.29
The Florida National Bank, Jackson- ville, Fla. ....	17,781.36
The Capital City Bank, Tallahassee, Fla. ....	<u>7,804.36</u>
	<u>\$82,532.01</u>

## DISBURSEMENTS

Date 1939	No.	In Favor of:	Amount
Jan. 19,	11282	Southeastern Telephone Co. ..	\$ 10.55
	11283	Western Union Telegraph Co. ..	2.54
	11284	Postal Telegraph-Cable Co. ....	6.24
	11285	Capital Office Equipment Co. ....	5.10
	11286	Proctor & Proctor .....	5.45
	11287	F. E. Bayless .....	21.40
	11288	M. C. McIntosh .....	20.35
	11289	Mrs. D. S. Weeks, C. C. C. ....	5.00
	11290	L. J. Thorp, Sheriff .....	13.20
	11291	W. Hiram Lawrence, Sheriff ..	29.00
	11292	Glades Printing Co. ....	15.00
	11293	D. C. Coleman, Sheriff .....	1.85
	11294	Rex Sweat, Sheriff .....	3.70
	11295	Pinellas County Title Co. ....	210.75
	11296	S. S. Savage .....	80.65
	11297	American Oil Co. ....	21.05
	11298	G. M. Simmons, C. C. C. ....	7.20
	11299	D. H. Sloan, Jr., C. C. C. ....	22.98
	11300	George J. Dykes, C. C. C. ....	17.65
	11301	E. B. Leatherman, C. C. C. ....	71.56
31,	11302	F. C. Elliot .....	400.00
	11303	F. E. Bayless .....	275.00
	11304	Jentye Dedge .....	175.00
	11305	M. O. Barco .....	175.00
	11306	H. L. Shearer .....	50.00
	11307	S. S. Savage .....	200.00
	11308	Ross C. Sawyer, C. C. C. ....	161.86
	11309	Pahokee Drainage District .....	1,469.86
	11310	Pelican Lake Sub-Drainage District .....	<u>2,751.84</u>
		TOTAL disbursements January, 1939..	<u>\$6,229.78</u>



Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
February 21, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Trustees Minutes for January 12, 17, 19, 24, 31 and February 15, 1939, read and approved.

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Mr. Austin Miller of Jacksonville and Mr. Cody Fowler of Tampa, representing Mr. Grayden Thomas of Miami, came before the Trustees and applied to purchase certain overflow and submerged land which they propose to improve and develop into a high class, restricted subdivision. An offer of \$200 an acre was submitted for approximately five hundred acres of land in Sections 9, 17, 20 and 21 of Township 54 South, Range 42 East, Dade County, part of which is covered by mortgage held by the Trustees, now delinquent in payments on principal and interest. Applicants agree to foreclose the mortgage without cost to the Trustees and put title to the land back in the State.

Motion was made, seconded and adopted, that since there were only three members of the Trustees present that the application and offer submitted from Mr. Thomas be taken under consideration and that Mr. Elliot and Mr. Bayless look into the matter and if possible submit report with recommendations at the next meeting of the Trustees.

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The Secretary presented request from A. A. Poston, on behalf of Kelsey City Land Company, for release of

reservations contained in Trustees' Deeds No. 50-1, 50-2, 50-3, 50-4 and 50-5, conveying a number of Lots in Kelsey City, Palm Beach County, approximating between 160 and 200 acres of land, which land came to the Trustees through foreclosure of State and County tax certificates under Chapter 14572, Acts of 1929.

Motion was made, seconded and adopted that the Trustees release reservations requested by Kelsey City Land Company upon payment of \$200.

Action was deferred on applications of Wm. G. Blanchard and Tom Norfleet for permit and option to lease for oil explorations State owned lands.

The following bills were approved and ordered paid:

F. C. Elliot, Engineer and Secretary—Salary for February .....	\$ 400.00
F. E. Bayless, Land Clerk—Salary for February .....	275.00
M. O. Barco, Clerk-Stenographer—Salary for February .....	175.00
Jentye Dedge, Clerk-Stenographer—Salary for February .....	175.00
H. L. Shearer, Clerk in Land Office—Salary for February .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—Salary for February .....	200.00
Capital Office Equipment Co., Tallahassee, Fla. ....	3.75
Mrs. D. S. Weeks, C. C. C., Moore Haven, Fla. ....	17.15
W. L. Watford, Sheriff, Marianna, Fla. ....	2.35
W. Hiram Lawrence, Sheriff, West Palm Beach, Fla. ....	2.75
	<u>\$1,301.00</u>

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.



Tallahassee, Florida,  
March 22, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

Nathan Mayo, Commissioner of Agriculture.

The following bills were approved and ordered paid:

S. S. Savage, Field Agent, Ocala, Fla.—Expenses.....	\$243.05
M. C. McIntosh, Asst. Atty. General—Expenses.....	14.30
F. E. Bayless, Land Clerk—Expenses.....	13.00
Atlantic Coast Line Railway Co.—Expense of ticket for A. R. Richardson.....	39.50
W. B. Granger, Belle Glade, Fla.—Expenses.....	55.75
George O. Butler, C.C.C., West Palm Beach, Fla.....	1.80
Frank Karel, Sheriff, Orlando, Fla.....	1.85
E. A. Currie, West Palm Beach, Fla.....	10.00
W. Hiram Lawrence, Sheriff, West Palm Beach, Fla.....	13.00
Palm Beach Publications, Inc., West Palm Beach, Fla. ....	12.00
The Everglades News, Canal Point, Fla. ....	12.00
The Clearwater Sun, Clearwater, Fla. ....	10.50
Standard Oil Co., Jacksonville, Fla. ....	17.34
American Oil Co., Jacksonville, Fla. ....	19.77
Proctor & Proctor, Tallahassee, Fla. ....	6.60
Jacksonville Printing Corp., Jacksonville, Fla.....	32.50
Eugene Dietzgen Co., New Orleans, La. ....	1.44
H. & W. B. Drew Co., Jacksonville, Fla. ....	1.25
Capitol Office Equipment Co., Tallahassee, Fla. ....	7.70
Postal Telegraph-Cable Co., Tallahassee, Fla.....	1.38
Western Union Telegraph Co., Tallahassee, Fla. ....	4.73
Southeastern Telephone Co., Tallahassee, Fla. ....	6.85
	<u>\$526.31</u>

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 28, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Mr. Cody Fowler of Tampa, Mr. Austin Miller of Jacksonville, and Mr. Grayden Thomas of Miami, submitted to the Trustees an offer of \$400 an acre for 264 acres of land adjacent to Virginia Key and covered by Trustees Mortgage on Entries No. 17143 and No. 17144, and an additional 66.12 acres of fee simple land. Applicants stated that if they acquired these two tracts it was intended to immediately fill in the area and develop a high class, restricted subdivision.

Application having first been made February 21st, and the Trustees having requested information on the subject, report was submitted from Mr. Elliot and Mr. Bayless containing the following information:

"Original sale of the land was made in 1924, conveying 422 acres of sovereignty land adjacent to Virginia Key to Miami Beach Realty Company and F. H. Rand, Jr., and Ben Shepard. The land was sold at a price of \$300 an acre, or a total of \$126,000; \$25,000 was paid on the purchase during 1924 leaving a balance due of \$101,600. In February 1930 agreement was reached whereby 158 acres were to be released from the mortgage, the Trustees to receive \$36,000 of first mortgage bonds of Virginia Beach Company. The indebtedness due as of that date, including principal and interest, amounted to \$144,832.91, or on a basis of \$550 an acre for the 264 acres remaining under mortgage. Total amount due on the mortgage March 1, 1939 including principal and interest is \$199,917.38, or approximately \$757.26 an acre. The Committee reports that the land is fully worth that amount;

also that the 66.12 acres, owned by the Trustees in fee simple, is of the same value, making a total for the two tracts of \$249,987.41. The report also contained information that John M. Sutton, under his former contract as Selecting Agent, has refusal of the 66.12 acres at the price fixed by the board, or he can agree to the sale and be compensated 20% of the sale price as commission."

Applicants were informed of the price recommended by the Committee, and action was deferred to the next meeting of the Board.

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Mr. F. T. Peebles of St. Petersburg presented a proposal from Contract & Investment Co., for release of lots covered by Trustees' mortgage No. 17534 for which they agree to pay 10% of the amount of the mortgage. Information was furnished that the Company has bulkheaded and improved a part of the area against which the City of Dunedin holds paying liens amounting to \$114,000 and if release from the Trustees' mortgage can be arranged, the Company will be in position to sell these lots and make adjustment of the City's liens.

The Trustees agreed to give the application consideration at an early date and advise Mr. Peebles when action is taken.

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Mr. G. A. Buie of Lake City, on behalf of Emory Carter, submitted an offer of \$600 for the pine and cypress timber located on Section 35 and on Section 36, except the N $\frac{1}{2}$  of NE $\frac{1}{4}$ , in Township 2 North, Range 18 East, Columbia County.

Information was furnished that S. S. Savage has estimated the timber to be worth \$850.

Motion was made seconded and adopted that the Trustees accept \$850 for the timber located on the land described. Whereupon, Mr. Buie stated he would submit this price to his client and notify the Trustees of his decision.

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Mr. R. D. Goodloe of Jacksonville, representing Parkhill Dredging Company, made application for shell lease on an area in the St. Johns River located in Section 36, Township 1 South, Range 28 East, Duval County, for which they agree to pay the same royalty as Duval Engineering & Contracting Company—seven and one-half cents per cubic yard; however, it was requested that the monthly minimum royalty be \$25 as the area applied for

is considerably less than under lease to Duval Engineering & Contracting Company.

Motion was made, seconded and adopted, that the application be held in abeyance until the area can be checked with the Conservation Department.

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Offer of \$10 was presented from Inman W. Weeks for release of reservations in deed from the Trustees covering Lots 58 and 58-A, Section 18, Township 42 South, Range 37 East, Palm Beach County, located within the town of Pahokee.

Motion was made, seconded and adopted, to accept \$10 for release of reservations requested by Mr. Weeks.

Application was presented from W. Martin Burkett, Orien Revell and W. H. Croom for dead head pine and cypress timber in the Dead Lakes and Chipola River for which they offer \$6 a thousand feet for cypress and \$5 a thousand for pine. Also applicants agree to post \$1,000 performance bond with the Trustees.

Motion was made, seconded and adopted, to accept offer from Messrs. Burkett, Revell and Croom for removing dead head pine and cypress timber from the Dead Lakes and Chipola River, upon condition that applicants pay for the services of some person designated by the Trustees to check timber taken, payment to such party to be on a per thousand basis.

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Offer of fifteen cents an acre was presented from G. C. Albritton, DeSoto City, for grazing lease on 557.27 acres of State land in Township 35 South, Range 30 East, Highlands County.

Motion was made seconded and adopted to decline offer of fifteen cents for grazing lease, but it was agreeable to lease the land on a basis of twenty-five cents an acre for a period of one year.

Application was presented from John Parkhurst Booth, Miami, for release of canal reservations in Trustees' Deed covering Lot 1, Section 12, Lot 2, Section 13, Township 66 South, Range 29 East, and Lot 1, Section 18, Township 66 South, Range 30 East, located on No Name Key in Monroe County.

Motion was made, seconded and adopted, to release canal reservations on the lots requested upon payment of \$25.

Application was received from Perry J. Beers, Ft. Lauderdale, for five year grazing lease on 118 acres of State land in Township 50 South, Range 41 East, Brow-



ard County, offering to place the tract under Federal Soil Conservation program with payment of ten cents an acre annually for the first two years, fifteen cents an acre for the third year, twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year.

Upon discussion it was the decision of the Trustees that the character of the land is such that it will not be necessary to place it under the soil conservation program, whereupon motion was made, seconded and adopted, to lease the area applied for on a basis of twenty-five cents an acre for a period of one year.

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On January 25th, 1939 the Trustees agreed to sell to George Brantley the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 26, Township 2 North, Range 12 East, Hamilton County, at a price of \$250 on a five year contract plan with quarterly payments. Mr. Brantley now requests that he be allowed to pay \$50 cash and \$50 annually for the next four years in lieu of payments scheduled in contract.

Motion was made seconded and adopted to grant request of Mr. Brantley for change in payment schedule.

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The Trustees agreed February 15th to lease to Baker County School Board the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, Township 1 South, Range 21 East, at a yearly rental of \$1. Request is now made that the Trustees sell the land to the School Board at a price of \$1 an acre as it is proposed to make permanent improvements on the property.

Motion was made, seconded and adopted, to sell the land applied for to Baker County School Board at a price of \$1 an acre, conditioned that the deed contain reversion clause should the land be used for other than school purposes. Also that there be no mortgages placed on the property, or liens of any kind.

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Mr. Bayless reported on timber in Lake Miccosukee, Jefferson County, applied for by Mr. W. P. Shelley on February 15th, and submits offer from Mr. Shelley of \$3.50 a thousand feet for hardwood suitable for veneer; \$5 a thousand feet for merchantable cypress and pine timber and twenty cents each for cypress ties located on State land outside the meander of Lake Miccosukee.

Mr. Bayless reported that there was quite a body of timber located between the property of Mr. Rainey of Monticello and the waters of the lake, which timber he is informed Mr. Rainey claims.

Motion was made, seconded and adopted to accept \$5 a thousand feet for all timber taken from State land on Lake Miccosukee, payment to be made each two weeks based on statement from the local Mill.

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Application was presented from Carl A. Widell, Chairman of Palm Beach County Board of Public Instruction, offering \$250 for Lots 46, 47 & 48-A, Section 18, Township 42 South, Range 37 East, containing .77 of an acre, which lots will be used for School purposes at Pahokee.

Motion was made, seconded and adopted, that the Trustees accept offer of \$250 from Palm Beach County Board of Public Instruction for the three Lots in the town of Pahokee, conditioned that deed contain reversion clause, and the further provision that the lots will not be mortgaged or any liens placed thereon.

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Offer of \$400 was presented from G. J. Grinstead, Branford, for the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 3, Township 7 South, Range 14 East, Suwannee County.

Mr. Bayless reported that Mr. Savage, Timber Cruiser, had examined the land and the information submitted was on file in the Land Office.

Upon motion seconded and duly carried, the Trustees agreed to accept \$450 for the land applied for by Mr. Grinstead, but declined to consider the \$400 offer.

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Mr. Bayless reported collection of \$54 from F. H. Fissell, covering trespass on Suwannee County lands owned by the State, representing 150 poles at thirty cents each and 50 ties at eighteen cents each.

Report was accepted and the money ordered deposited to the credit of the Internal Improvement Fund.

Motion was made, seconded and adopted, that the matter of reported trespass by Wilson Cypress Company on timber owned by the State to be referred to the Attorney General with request that action be taken to collect for the timber taken from State land. The Land Office was requested to furnish the Attorney General with all information on the subject.

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Offer of \$75 was submitted from W. A. McCree, Orlando, for 0.73 acres of reclaimed land adjacent to his uplands on Lake Conway, Orange County. The Land office reported that the plat shows a street between Mr. McCree's property and the tract applied for.

Motion was made, seconded and adopted, that the offer of Mr. McCree be declined and that examination be made to ascertain whether or not there is a street located as shown on the plat.

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Motion was made, seconded and adopted, to decline offer of fifteen cents an acre from C. W. O'Berry, DeSoto City, for grazing lease on 206 acres of State land in Township 35 South, Range 30 East, Highlands County, but it was agreed that a lease for one year be granted on the land upon the payment of twenty-five cents an acre.

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Upon motion, seconded and adopted, the Trustees agreed to lease to Mr. Guy Winthrop 600 acres of tax lands owned by the State in the vicinity of Lake Hiepochee, provided Mr. Winthrop places the land under the Federal Soil Conservation program. Payment for the lease was agreed on at ten cents an acre annually for the first two years, fifteen cents an acre for the third year, twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year.

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Application was presented from Duncan Padgett for a strip of land lying between his ownership and Pelican River in Section 18, Township 42 South, Range 37 East, Palm Beach County, with offer of \$10 for the strip, approximately 370 feet long and from 30 to 60 feet wide. Mr. Padgett states he desires this strip in order to prevent garbage being dumped thereon.

Motion was made, seconded and adopted that the Trustees lease the strip applied for by Mr. Padgett at a price of \$5 for a period of two years.

Motion was made, seconded and adopted, to decline offer of \$10 an acre from James A. Dew, West Palm Beach, for Section 29, Township 44 South, Range 38 East, Palm Beach County, lying South and West of Hillsboro Canal.

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On January 24th the Trustees agreed to sell to William F. Gorman, client of Charles E. Fisher, 2.48 acres of sovereignty land in Section 33, Township 31 South, Range 16 East, Pinellas County, at a price of \$200 an acre plus cost of advertising. Pursuant to such action the following Notice was published in the Clearwater Sun, a newspaper published in Pinellas County, in the issues of February 15, 22, March 1, 8 and 15, 1939:

Motion was made, seconded and adopted to accept \$5 a thousand feet for all timber taken from State land on Lake Miccosukee, payment to be made each two weeks based on statement from the local Mill.

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Application was presented from Carl A. Widell, Chairman of Palm Beach County Board of Public Instruction, offering \$250 for Lots 46, 47 & 48-A, Section 18, Township 42 South, Range 37 East, containing .77 of an acre, which lots will be used for School purposes at Pahokee.

Motion was made, seconded and adopted, that the Trustees accept offer of \$250 from Palm Beach County Board of Public Instruction for the three Lots in the town of Pahokee, conditioned that deed contain reversion clause, and the further provision that the lots will not be mortgaged or any liens placed thereon.

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Offer of \$400 was presented from G. J. Grinstead, Branford, for the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 3, Township 7 South, Range 14 East, Suwannee County.

Mr. Bayless reported that Mr. Savage, Timber Cruiser, had examined the land and the information submitted was on file in the Land Office.

Upon motion seconded and duly carried, the Trustees agreed to accept \$450 for the land applied for by Mr. Grinstead, but declined to consider the \$400 offer.

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Mr. Bayless reported collection of \$54 from F. H. Fissell, covering trespass on Suwannee County lands owned by the State, representing 150 poles at thirty cents each and 50 ties at eighteen cents each.

Report was accepted and the money ordered deposited to the credit of the Internal Improvement Fund.

Motion was made, seconded and adopted, that the matter of reported trespass by Wilson Cypress Company on timber owned by the State to be referred to the Attorney General with request that action be taken to collect for the timber taken from State land. The Land Office was requested to furnish the Attorney General with all information on the subject.

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Offer of \$75 was submitted from W. A. McCree, Orlando, for 0.73 acres of reclaimed land adjacent to his uplands on Lake Conway, Orange County. The Land office reported that the plat shows a street between Mr. McCree's property and the tract applied for.



Motion was made, seconded and adopted, that the offer of Mr. McCree be declined and that examination be made to ascertain whether or not there is a street located as shown on the plat.

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Motion was made, seconded and adopted, to decline offer of fifteen cents an acre from C. W. O'Berry, DeSoto City, for grazing lease on 206 acres of State land in Township 35 South, Range 30 East, Highlands County, but it was agreed that a lease for one year be granted on the land upon the payment of twenty-five cents an acre.

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Application was presented from Duncan Padgett for a strip of land lying between his ownership and Pelican River in Section 18, Township 42 South, Range 37 East, Palm Beach County, with offer of \$10 for the strip, approximately 370 feet long and from 30 to 60 feet wide. Mr. Padgett states he desires this strip in order to prevent garbage being dumped thereon.

Motion was made, seconded and adopted that the Trustees lease the strip applied for by Mr. Padgett at a price of \$5 for a period of two years.

Motion was made, seconded and adopted, to decline offer of \$10 an acre from James A. Dew, West Palm Beach, for Section 29, Township 44 South, Range 38 East, Palm Beach County, lying South and West of Hillsboro Canal.

---

On January 24th the Trustees agreed to sell to William F. Gorman, client of Charles E. Fisher, 2.48 acres of sovereignty land in Section 33, Township 31 South, Range 16 East, Pinellas County, at a price of \$200 an acre plus cost of advertising. Pursuant to such action the following Notice was published in the Clearwater Sun, a newspaper published in Pinellas County, in the issues of February 15, 22, March 1, 8 and 15, 1939:

## NOTICE

Tallahassee, Florida, February 13, 1939.

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, March 21, 1939 at Tallahassee, Florida, to consider the sale of the following described submerged land located in PINELLAS County, Florida:

Begin at a point 920 feet South and 1543.8 feet West of the SE corner of the NE $\frac{1}{4}$  of Section 33, Township 31 South, Range 16 East, run South 571.5 feet to a point 3 feet below M.H.T.; thence West 193.8 feet; thence North 546.5 feet; thence North 82 degrees 35 minutes East 194.73 feet to P.O.B.

This tract contains 2.48 acres and lies South of and abuts Lots 35, 36, 37, & 38 of Carter & Boyles Sub. of the West 180 feet of Lot 3 of Torres Sub. and the East 207.6 feet of Chase & Howard's Sub.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

J. M. Lee, Comptroller—Chairman.

ATTEST: F. C. Elliot, Secretary.

A quorum not being present March 21st—date advertised for the sale—consideration was postponed until this date. No protests being filed or presented, the Trustees declared the land sold to Mr. Gorman at a price of \$200 an acre and deed was ordered delivered upon payment of this amount.

Motion was made, seconded and adopted, that the Land Clerk be authorized to secure from the Florida State Farm at Raiford metal plates for posting State lands.

Permit to Palm Beach Yacht Club, dated March 6, 1939, having been executed by both parties, was ordered recorded in the Minutes as follows:

## PERMIT

TRUSTEES OF THE  
INTERNAL IMPROVE-  
MENT FUND OF THE  
STATE OF FLORIDA

TO PALM BEACH YACHT  
CLUB, WEST PALM  
BEACH, FLORIDA

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida are the owners of certain submerged lands in Lake Worth, Palm Beach County, Florida, and

WHEREAS, Palm Beach Yacht Club has made application to the Trustees of the Internal Improvement Fund for the right to occupy, use and improve a certain parcel in Lake Worth located eastwardly from and in front of said Club House, adjacent to the pier of said Club, all for the public convenience and benefit, now therefore,

THIS IS TO CERTIFY That the Trustees of the Internal Improvement Fund of the State of Florida hereby grant to Palm Beach Yacht Club of West Palm Beach, Palm Beach County, Florida, the right to occupy, use and improve that certain part or parcel of Lake Worth in Palm Beach County, Florida, described as follows:

Begin at the intersection of the South line of Eighth Street projected East to the East face of the sea wall along the West side of Lake Worth, Florida;

Thence southwesterly along said sea wall a distance of 111 feet, more or less, to a point East of the South boundary of Lot 22 of Block 9, on which is located a part of the Palm Beach Yacht Club building;

Thence East into Lake Worth 108 feet, more or less; Thence Northeasterly parallel to said sea wall a distance of 111 feet, more or less, to the South side of the Palm Beach Yacht Club Pier; Thence East along the South side of said pier a distance of 325 feet more or less to the pier head; Thence Northeasterly parallel with the face of the sea wall 120 feet more or less to the South boundary of Lake Worth Inlet District tract conveyed by Trustees of the Internal Improvement Fund to Lake Worth Inlet District by Trustees' Deed No. 18115 dated January 29, 1931, as recorded in Deed Book 464 at Page 447 of the public records of Palm Beach County, Florida; Thence West 125 feet, more or less, along the South boundary of said Lake Worth Inlet District tract to the Southwest corner of said tract; Thence North 40 feet more or less along the West boundary of said Lake Worth Inlet District tract to a point East of the North line of Lot 21 of Block 8, Brelsford Park Addition; Thence West 308 feet more or less to a point on the face of the sea wall; Thence Southwesterly along the

face of the sea wall 165 feet more or less to the point of beginning.

Containing 1.52 acres, more or less and lying and being in Section 15, Township 43 South, Range 43 East, Palm Beach County, Florida. All as shown on Plat hereto attached, entitled "PORTIONS OF LAKE WORTH," dated March 9, 1938.

This Permit is issued subject to the following conditions:

1. Permittee shall have the right to occupy, use and improve said area and for improving the same may, on its own account, erect or construct such improvements as may seem desirable, or may contract therefor.
2. That Permittee shall have the right to police, protect, prevent trespass or unlawful use of said area under such legal authority as said Permittee may have.
3. That the said area shall at all times be open to the free, legitimate use of the public.
4. That this permit conveys no property rights and vests no title in permittee, and said permittee has no authority to pledge, hypothecate or encumber said area in any manner whatsoever, but the said permit is confined to the consent only of the Trustees of the Internal Improvement Fund to occupy, use and improve the said area under the terms and conditions hereof.

THIS PERMIT is issued in consideration of the payment of Fifty Dollars (\$50.00) upon acceptance of this permit by permittee and thereafter at the rate of Fifty Dollars (\$50.00) annually, payable by the 6th day of March of each year during the life of said Permit.

THIS PERMIT shall run for a period of Twenty (20) years unless revoked by the Trustees of the Internal Improvement Fund for cause arising out of violation of its conditions by Permittee.

TRUSTEES OF THE INTERNAL  
IMPROVEMENT FUND OF  
THE STATE OF FLORIDA

By J. M. LEE,

Comptroller—Acting Chairman.

ATTEST: F. C. ELLIOT,  
Secretary.

Agreed to and Accepted by  
PALM BEACH YACHT CLUB

By Louis S. Clarke, Commodore.

Lynn S. Nichols, Treasurer.

Dated: March 11, 1939.



Permit to St. Lucie County Sanitary District authorized by the Trustees December 14, 1938 and dated March 6, 1939, having been executed was ordered recorded in the Minutes as follows:

# PERMIT

DATE: March 6, 1939

## TRUSTEES OF THE TO ST. LUCIE COUNTY INTERNAL IMPROVE- SANITARY DISTRICT MENT FUND

WHEREAS, the St. Lucie County Sanitary District has made application to the Trustees of the Internal Improvement Fund of the State of Florida to occupy and make use of a certain strip of land belonging to said Trustees for constructing thereon sanitary works and to carry out such program in the interest of sanitation as may be deemed advisable by said St. Lucie County Sanitary District; Now, Therefore,

THIS IS TO CERTIFY that the Trustees of the Internal Improvement Fund authorize the St. Lucie County Sanitary District to occupy and make use of a strip of land through the following described Lots:

Lots 6 and 7 of Section 18;  
Lot 7 of Section 19;  
Lots 2, 3 and 4 of Section 30,  
All in Township 34 South, Range 41 East,  
St. Lucie County, Florida.

Which said strip shall be one Hundred (100) feet wide extending easterly from the low water mark of the East shore of Indian River as measured at right angles from the shore line.

All subject to the following conditions:

1. This Permit shall convey no property rights to grantee but is limited to consent only of said Trustees for St. Lucie County Sanitary District to occupy and use the said premises for the purpose aforesaid.
2. That in making use of said premises St. Lucie County Sanitary District will protect and hold the Trustees harmless on account of occupying and making use of said land by said District.
3. That the Trustees reserve the right to grant any other permit or permits through, across or over the premises which will not interfere with the purposes of this permit.

4. The Trustees reserve the right to lease, convey or otherwise dispose of any lands owned by them, a part of which is included in this Permit, provided that any such disposal shall be subject to the rights hereby granted to St. Lucie County Sanitary District.
5. If the lands herein described shall not have been used for the purposes herein by the expiration of one (1) year from date, this Permit shall become terminated, otherwise to remain in full force and effect so long as occupied and used by said District for purposes aforesaid.

THIS PERMIT duly issued by the Trustees of the Internal Improvement Fund shall take effect upon the signing of this instrument and another of like tenor and date by St. Lucie County Sanitary District, whereby said District binds itself to this Permit and to each and every condition thereof.

TRUSTEES OF THE INTERNAL  
IMPROVEMENT FUND OF  
THE STATE OF FLORIDA

By J. M. LEE,  
Comptroller-Acting Chairman.

ATTEST: (SEAL)

F. C. Elliot,  
Secretary.

AGREED TO AND ACCEPTED BY:  
ST. LUCIE COUNTY SANITARY  
DISTRICT

By W. I. FEE, Chairman.

Robt. W. Koblebard, Secretary.

(SEAL)

Dated: March 11, 1939.

The following bills were approved and ordered paid:

F. C. Elliot, Engineer and Secretary—Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—Salary .....	275.00
M. O. Barco, Clerk-Stenographer—Salary .....	175.00
Jentye Dedge, Clerk-Stenographer—Salary .....	175.00
H. L. Shearer, Clerk in Land Office—Salary .....	50.00
S. S. Savage, Ocala, Fla., Field Agent—Salary .....	200.00
S. S. Savage, Ocala, Fla., To expenses incurred March 13th to 24th Inc. ....	94.55
The Everglades News, Canal Point, Fla. ....	14.00
	\$1,383.55

Financial Statement for the month of February is as follows:

### FINANCIAL STATEMENT FOR FEBRUARY, 1939 RECEIPTS

Receipts on account of various land sales .....	\$ 7,162.18
Land sales under Chapter 14717, Acts of 1931 .....	195.18
Royalties on sand, shell and gravel .....	318.17
Farm lease .....	360.00
Grazing lease .....	408.10
Turpentine lease .....	69.19
Lease under Soil Conservation Program .....	171.26
Lease of store site .....	75.00
Reimbursement cost of advertising.....	27.00
Total receipts during month .....	\$ 8,786.08
Balance on hand February 1, 1939 .....	83,532.01
	<u>\$92,318.09</u>
Less disbursements (itemized below) .....	1,871.66
Balance February 28, 1939 .....	<u>\$90,446.43</u>

### RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	89,446.43
	<u>\$90,446.43</u>

### BALANCES IN BANKS FEBRUARY 28, 1939

The Atlantic National Bank, Jacksonville, Fla. ....	\$63,599.29
The Florida National Bank, Jacksonville, Fla. ....	17,781.36
The Capital City Bank, Tallahassee, Fla. ....	8,065.78
	<u>\$89,446.43</u>

### DISBURSEMENTS

Date 1939	No.	In Favor of	Amount
Feb. 16,	11311	M. C. McIntosh .....	\$ 33.60
	11312	F. E. Bayless .....	22.06
	11313	S. S. Savage .....	263.88
	11314	W. B. Granger .....	30.85
	11315	Southeastern Telephone Co. ....	14.20
	11316	Postal Telegraph-Cable Co. ....	.70

	11317	Western Union Telegraph Co.	4.41
	11318	Rose Printing Co.	13.75
	11319	Proctor & Proctor, Inc.	25.27
	11320	Cincinnati Office Supply Co.	12.00
	11321	Clearwater Publishing Co.	9.00
	11322	American Oil Co.	17.99
	11323	Standard Oil Co.	10.71
	11324	William Logan Hill, U. S. Clerk	2.00
	11325	George O. Butler, C. C. C.	.50
	11326	B. A. Bales	10.00
	11327	W. Hiram Lawrence, Sheriff	29.00
	11328	Glades Printing Co.	18.15
	11329	The Everglades News	24.00
	11330	W. L. Watford, Sheriff	2.35
	11331	E. R. Bennett, C. C. C.	26.24
28,	11332	F. C. Elliot	400.00
	11333	F. E. Bayless	275.00
	11334	M. O. Barco	175.00
	11335	Jentye Dedge	175.00
	11336	H. L. Shearer	50.00
	11337	S. S. Savage	200.00
	11338	Capital Office Equipment Co.	3.75
	11339	Mrs. D. S. Weeks, C. C. C.	17.15
	11340	W. L. Watford, Sheriff	2.35
	11341	W. Hiram Lawrence, Sheriff	2.75
	Total disbursements during February,		
	1939		\$1,871.66

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida  
April 4, 1939

The Trustess of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.



Letter was presented from the Attorney General's Office submitting request from R. L. Baker, Attorney of West Palm Beach, representing Emory J. Thomas, for abstract covering land recently foreclosed by the Trustees. Information was furnished that Mr. Thomas bought the land at foreclosure sale March 6, 1939, and the purchase price included cost of the abstract.

Motion was made, seconded and adopted that abstract referred to by Mr. Baker be forwarded to his client, it being shown that the Trustees have received payment for the abstract.

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Letter was presented from Mr. Fred Kent, Attorney for Everglades Drainage District, requesting that the Trustees remove J. N. Farris from State land adjoining West Palm Beach Canal. It was reported that Farris is operating a beer barge and otherwise undesirable place on this land which is located near the town of Canal Point.

Motion was made, seconded and adopted, that the request from Everglades Drainage District be complied with and the letter was turned over to the Attorney General with request that he proceed to have Mr. Farris ejected from the State land.

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Mr. Vernon Hawthorne and Mr. Robert P. Hess of Miami submitted an offer of \$20 an acre for approximately 4210 acres of State land located about twenty miles from West Palm Beach in Sections 7, 16, 17, 19, 21, 27, 29 and 31, Township 43 South, Range 39 East, Palm Beach County. Mr. Hawthorne informed the board that if sale of this tract is agreed to it will mean the establishment of a townsite and the expenditure of \$165,000 for water control; also that there will be no sub-drainage district created for the purpose of levying taxes to carry out the drainage program; such drainage work to be financed by the owners of the property, and in addition improvements to the extent of \$84,000 will be started immediately.

Motion was made, seconded and adopted, to accept the offer of \$20 an acre from Mr. Hess for the land described. Terms of sale to be twenty-five per cent of the purchase price in cash and the balance in five years with six per cent interest, plus cost of advertising the land as required by law.

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The Trustees deferred action March 28th on application from F. T. Peebles, on behalf of Contract & Investment Company of Detroit, Michigan, for release of certain lots

covered by purchase money Mortgage No. 17534 from Dunedin Syndicate to Trustees of the Internal Improvement Fund. Proposal as submitted by Mr. Peebles March 28th calls for release of Unit No. 1 of Dunedin Isles S/D, and all the filled land east of the present shore line, containing approximately 148 acres covered by the mortgage, for which release they agree to pay ten per cent of the amount of the mortgage. The submerged lands to remain under the mortgage and either be paid off at a later date or reconveyed to the Trustees. It was stated that City paving liens and other assessments against the land amounts to \$114,000.

Information was furnished by Mr. Bayless that prior to Trustees' sale to Dunedin Syndicate, Contract & Investment Company, owners of the upland, sold their interests to Dunedin Syndicate on deed and mortgage plan. Dunedin Syndicate then purchased from the Trustees the submerged areas adjacent to the upland and subsequently filled in and improved such area. Following the boom and depression periods, payments could not be met and Contract & Investment Company foreclosed their mortgage, securing Masters deed not only to their original uplands but also to the filled area covered by Trustees Mortgage No. 17534.

Upon consideration of the request, motion was made, seconded and duly carried, that the Trustees agree to release to clients of Mr. Peebles 134 lots, containing 34 acres on which improvements have been made, upon payment of \$3,541.66, and upon such release being made Contract & Investment Company will quit claim to the Trustees 114 acres, directly north of the 34 acres to be released, and in addition the water bottoms in front of both tracts. It was ordered that this be the action of the Trustees and Mr. Bayless was directed to so notify Mr. Peebles.

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Mr. Cody Fowler of Tampa was present and requested that the Trustees take action on application of his client, Mr. Grayden Thomas, to purchase land adjacent to Virginia Key covered by Trustees' mortgage delinquent in payments for several years. For this area and 66.12 acres, not under the mortgage, he submits an offer of \$500 an acre plus cost of foreclosure.

Mr. Fowler was informed that a report had been submitted by the Engineer and Land Clerk estimating the land to be worth \$757.26 an acre, which was the amount of the mortgage plus interest to March 1, 1939. Also

that protest from the City of Miami had been filed against sale of the area.

It was the opinion of the Trustees that they should not sell the land or mortgage at a price less than that recommended in the report. Whereupon, the matter was referred to a committee composed of Messrs. Lee, Gibbs and Mayo with request that recommendations be submitted as soon as possible.

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Mr. Elliot presented an offer of \$160 from H. Pierre Branning, representing Bonita Preserving Company, for purchase of the State's equity in Drainage tax certificate No. 33 amounting to \$130.08 and covering land in Newman's Survey, Broward County. Applicant makes affidavit that he was owner of the property at time of tax sale.

Motion was made, seconded and adopted, to decline offer of \$160 for the Trustees' equity in Certificate No. 33, but it was agreed to accept \$200 if sold to former owner.

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The Trustees declined offer of \$20 from Frank B. Dowling, on behalf of E. A. Ames, for equity amounting to \$8.69 represented by Drainage tax certificate No. 3464 on land in Section 32, Township 56 South, Range 39 East, Dade County. It was agreed, however, that the Trustees would accept \$40 for their equity in the land if sold to former owner. Statement was filed that Mr. Ames owned the land at time of tax sale.

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Offer of \$17 was presented from Paul Schar for Trustees' equity in Drainage tax certificate No. 3235 on Lots 29 to 34, incl., Block 8, Dixie Park Heights.

Motion was made, seconded and adopted, to decline offer from Mr. Schar.

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Application was presented from the Board of Public Instruction of Hillsboro County to purchase Lpt 14, Block 7, Bell's Addition to Tampa, which land came to the Trustees through foreclosure under Chapter 14572, Acts of 1929. Request was made that the Lot be sold for the amount of decree—\$491.39—and omit fee of ten per cent charged by the Trustees for handling.

Motion was made, seconded and adopted, that the Trustees decline to deduct the fee as requested, but it was agreed that sale be made to Hillsborough County School Board upon payment of \$540.53.

Mr. Elliot presented check in amount of \$315.58 from DeSoto State Forest Park Association as reimbursement for redemption of 1926 tax sale certificate on the E $\frac{1}{2}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 36, Township 34 South, Range 28 East, Hardee County, which land lies within the park area.

Check was accepted and ordered deposited to the credit of the Internal Improvement Fund.

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The following bills were approved and ordered paid:

F. C. Elliot, Tallahassee, Fla.—Expense Account	\$118.69
Lawrence A. Truett, Assist. Atty. General, Tallahassee, Fla.	120.96
M. C. McIntosh, Assist. Atty. General, Tallahassee, Fla.	83.00
Tyrus A. Norwood, Asst. Atty. General, Tallahassee, Fla.	89.20
	<hr/> \$411.85

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
April 11, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliott, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Minutes of the Trustees for February 21, 22, 28 and April 4th, 1939, presented and approved.

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Mr. Harry Lee Baker, State Forester, and Mr. H. J. Malsberger, Director of Parks, were present and requested that the Trustees reconvey to DeSoto State Forest Park



Association approximately fifty-eight hundred eighty (5880) acres of land in Highlands County. Mr. Malsberger explained that this land is part of a track originally intended to be embraced in Highlands Hammock State Park, plans having been worked out and legislative action having authorized cancellation of taxes on the necessary area resulting in the land being conveyed to the Trustees for the Park. Later the Murphy Act was passed and the Park Authorities were prevented from securing land of sufficient acreage to constitute a park. It is now proposed that if the Trustees of the Internal Improvement Fund will reconvey this 5880 acres sale can be made to a private individual at a price of \$10,000.00, which amount will be used for the operation and maintenance of Highlands Hammock State Park. It was explained that the area requested to be reconveyed is separated from Highlands Hammock Park by other lands and is therefore not suitable for inclusion in this park.

Statements were made by parties interested in the Park as to the benefits to be derived if the above plans are carried out, and the Trustees were urged to make conveyance requested.

Upon discussion, it was moved, seconded and adopted that the matter be referred to the Attorney General for examination as to the Trustees authority to reconvey the lands in Highlands County, the plan being agreeable if approved by the Attorney General.

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The Committee appointed by the Governor April 4th, to go into the matter of disposition of land covered by Trustees' mortgage from Miami Beach Realty Company, F. H. Rand, Jr., and Ben Shepard, reported that since objection to the sale had been filed by the City of Miami, it was thought best to allow all interested parties an opportunity to be heard, and accordingly notice was given. Pursuant to such notice the following were present:

- Mr. John W. Watson, Jr., City Attorney for Miami.
- Mr. O. P. Hart, W. P. A., Representative for Miami.
- Mr. J. Mark Wilcox, representing Dade County.
- Mr. Ben Shepard, one of the original mortgagors.
- Mr. Pete Robineau, representing Mr. Oscar Daniels.
- Mr. Cody Fowler, representing applicant to purchase.
- Mr. Austin Miller, representing applicant to purchase.
- Mr. Grayden Thomas, applicant to purchase, and
- Other City and County officials.

The governor stated that in order to expedite the hearing it would be desirable for each side to designate its

speaker, and that person would be allowed to present his case without interruption.

Mr. Shepard, as one of the original mortgagors, stated that he now has no interest in the tract but is representing Mr. Thomas, applicant for the land; that Mr. Thomas has acquired the uplands from successor in title and it would seem right that he be allowed to purchase the submerged area from the State; that the area would not be suitable for a beach since there is no beach there. He stated that it has always been the policy of the Trustees to sell to upland owners the adjoining submerged areas and as such upland owner Mr. Thomas is applying to purchase.

Mr. Watson submitted a written statement on Miami's Port and Harbor project, setting forth the necessity for expansion of docking space, yacht basin and other facilities for encouraging trade through the Port of Miami. Reference was made to the inadequacy of the harbor as reported by Chief of Army Engineers and the Rivers and Harbors Committee. Plans for an enlarged harbor were outlined, to be constructed with funds provided by Works Progress Administration, which project is now on the approved list eligible for allotment of four million dollars under the new program. It was also pointed out that a recreational park project is planned for Virginia Key area, in which project Dade County has joined, which will mean the expenditure of approximately two million dollars in local payrolls.

The Miami delegation requested that the Trustees delay action on this sale until the City officials have an opportunity to make an offer for the land, and urgently protested sale to private interests.

Mr. Hart, as representative of the W.P.A., in Miami requested that the board take into consideration the plans the City has been working on for the past two and a half years (on which they have spent thirty-five thousand dollars for surveys, plans, right of ways and lands), and urged delay in selling this area until Miami can submit an offer to purchase.

Mr. Mark Wilcox, representing Dade County, stated that his interest in the project was the value to the County and State of the proposed harbor development and from the standpoint of County Parks; that the County and City had been working on this project for more than two years. The plans had been submitted to the Army Engineers and the Virginia Key area had been decided on as a desirable location, offering adequate docking space for the present as well as allowing for future docks, ex-

pansion of harbor facilities and enlargement of the entrance to the channel; that hundreds of cruise vessels pass up Miami each year owing to its inadequate harbor; thousands of dollars are lost because of lack of freight docks, and these plans, approved by the Army Engineers, and the money earmarked for allocation, will be lost if this area is sold to private individuals. It now seems to be a question of whether the State will sell to private interests or allow the City an opportunity to make an offer.

The question was asked as to how privately owned lands, which the City's project includes, would be acquired. Mr. Wilcox replied that such lands would have to be condemned as well as the land under Trustees' mortgage if sold to private individuals. He urged that the Trustees delay action until the City of Miami and the County of Dade have an opportunity to submit an offer for the land.

Mr. Pete Robineau, representing Mr. Oscar Daniels, successor to original mortgagor, presented the case of his client and asked that the sale to Mr. Thomas be carried out. He stated that he was entirely in sympathy with the City's plans, but that such plans were far into the future without any definite certainty of achievement; that his client had a right under the law to do anything he desired with this area and if it is his desire that the applicants be allowed to purchase the mortgage, he feels that the Trustees should agree to such sale; that Constitutional rights prohibit expropriation of land without damage and that the City's attitude amounts to expropriation. Years ago the State by selling this area cast the die as to the future status of Virginia Key area and determined that private ownership would be to the best interest of the State; that there is a question whether it would be equitable or lawful to sell to adverse claimants. Mr. Robineau submitted that should the upland owner offer to make payment he would be entitled to release of the mortgage as his lawful right, and that Mr. Thomas as the owner of such equity requests compromise of the mortgage and has offered a price which is equal to principal of the mortgage and interest to date.

Letter was read from M. B. Garriss, Engineer of Miami, stating that the proposed development of Mr. Thomas will not interfere with the City's plans for harbor improvement; that the area is not suitable for a beach and that the yacht dockage proposed by Mr. Thomas will exceed that contemplated by the City. Mr. Thomas owns the uplands adjoining and the lands applied for are necessary to complete his development on Virginia Key.

Mr. Robineau submitted that the City of Miami is intruding on another municipality as the area in question lies within the city limits of Miami Beach and if either town is entitled to the land it should be Miami Beach.

Mr. Watson informed the board that the impression was being given that Miami and Dade County were attempting to appropriate the land without payment, but that such was not the case as Miami tried to buy this tract last year and had an appraisal made with a view to submitting an offer; that they are not asking for a donation of the land, but requesting a delay in action till an offer can be made.

All parties having been given an opportunity to be heard on the subject, the Governor informed the delegation that the Trustess would give the matter careful consideration and notify them when decision is reached.

Mr. Gaston Drake of Miami came before the Trustees and requested renewal of oil lease No. 226 in favor of Gaston Drake and C. H. Reeder, their present lease having expired April 8, 1939. Mr. Drake explained that his company has been unable to get the larger oil companies interested in surveying the land under Lease 226 because of an overlap in the old Price Oil & Gas Company's lease, and although the Trustees have declared this old lease cancelled attorneys for the oil companies contend that judicial detemination will be necessary to legally cancel such lease. Mr. Drake requested that the Trustees substitute other areas for the over-lapping tract.

Further statements were made by Mr. Drake and Mr. Robineau as to Mr. Drake's efforts in bringing into the State major oil companies that are spending thousands of dollars in surveys, improved instruments and equipment for making explorations.

Motion was made, seconded and adopted, that the Trustees take the matter up at a later date for consideration and action.

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Financial Statement for the month of March, 1939 is as follows:

#### FINANCIAL STATEMENT FOR MARCH, 1939 RECEIPTS

Reeeipts on account of various land sales .....	\$ 1,231.61
Land sales under Chapter 14572, Acts of 1929 .....	257.10



Land sales under Chapter 14717,	
Acts of 1931 .....	1.67
Part payment on Entry No. 244 .....	250.00
Royalties on sand, shell and gravel .....	810.98
Farm lease .....	2,193.75
Sale of certificate to be attached to Minutes .....	1.50
Quit-claim to reservation in Deed No. 16588 .....	7.50
Permit covering water rights .....	37.50
Total receipts during month .....	\$ 4,791.61
Balance on hand March 1, 1939 .....	90,446.43
	<u>\$95,238.04</u>
Less disbursements (itemized below) .....	1,909.86
Balance March 31, 1939 .....	<u>\$93,328.18</u>

### RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	<u>92,328.18</u>
	<u>\$93,328.18</u>

### BALANCES IN BANKS MARCH 31, 1939

The Atlantic National Bank, Jackson- ville, Fla .....	\$66,474.12
The Florida National Bank, Jackson- ville, Fla. ....	17,781.36
The Capital City Bank, Tallahassee, Fla. ....	<u>8,072.70</u>
	<u>\$92,328.18</u>

### DISBURSEMENTS

Date 1939	No.	In Favor of:	Amount
Mar. 23,	11342	S. S. Savage .....	\$ 243.05
	11343	M. C. McIntosh .....	14.30
	11344	F. E. Bayless .....	13.00
	11345	Atlantic Coast Line Railroad Co. ....	39.50
	11346	W. B. Granger .....	55.75
	11347	Geo. O. Butler, C. C. C. ....	1.80
	11348	Frank Karel, Sheriff .....	1.85
	11349	F. A. Currie .....	10.00
	11350	W. Hiram Lawrence, Sheriff .....	13.00
	11351	Palm Beach Publications, Inc. ....	12.00
	11352	The Everglades News .....	12.00
	11353	The Clearwater Sun .....	10.50

	11354	Standard Oil Co. (Jacksonville)	17.34
	11355	American Oil Co.	19.77
	11356	Proctor & Proctor	6.60
	11357	Jacksonville Printing Corp. ...	32.56
	11358	Eugene Dietzgen Co.	1.44
	11359	The H. & W. B. Drew Co.	1.25
	11360	Capital Office Equipment Co.	7.70
	11361	Postal Telegraph-Cable Co.	1.38
	11362	Western Union Telegraph Co.	4.73
	11363	Southeastern Telephone Co.	6.85
31,	11364	F. C. Elliot	400.00
	11365	F. E. Bayless	275.00
	11366	M. O. Barco	175.00
	11367	Jentye Dedge	175.00
	11368	H. L. Shearer	50.00
	11369	S. S. Savage	200.00
	11370	S. S. Savage	94.55
	11371	The Everglades News	14.00
	Total disbursements for March, 1939		\$ 1,909.86

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
April 18, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Elliot stated that he had been requested to prepare a measure giving the Board of State Institutions authority to use convicts on State lands and authorizing the Trustees of the Internal Improvement Fund to make arrange-

ments with the Board of State Institutions in connection with such use.

Upon discussion the matter was passed for further consideration.

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Mr. Tom Norfleet requested the Trustees to take action as early as possible on his application to lease State lands for oil explorations as he has parties interested in the matter and they are anxious to get the lease in operation.

Mr. Norfleet was informed that the matter could not be considered at this time, but action would be taken at an early date.

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Mr. Cody Fowler, representing Mr. Grayden Thomas, applicant for land adjacent to Virginia Key, asked if the Trustees were ready to take action on his client's offer, stating that Mr. Oscar Daniels, successor to original purchaser, had died since the last meeting of the Trustees and that it will be advantageous to the State to close the sale as soon as possible.

The Committee appointed to report on this matter was requested to continue and if possible submit recommendations at the April 25th meeting of the Trustees.

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Mr. J. H. Peeples submitted application from Dan B. Allen and J. James Wynn for lease of tract of unsurveyed land lying inside the Government Levee between Old Run Canal and Myakka Cut, containing approximately seventy-five acres.

Motion was made, seconded and adopted, to refer the application to the Land Department for report at the next meeting if possible.

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Governor Cone requested to be excused from further attendance at the meeting.

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Mr. Elliot presented request from the State Road Department for right-of-way through State lands in St. Lucie County, located in Section 2, Township 35 South, Range 40 East, known as Spoil Area No. 2. Statement was made that this right-of-way is necessary owing to change in alignment of State Road No. 162 across Indian River, but since easement was granted to the War Department February 16, 1936, covering the same area, the Road Department's permit will be subject to that of the United States.

Motion was made, seconded and adopted, that the Trustees grant to the State Road Department perpetual easement for right-of-way in connection with State Road 162, Project 1137, granting a strip 100 feet wide through and across the easterly end of Spoil Area No. 2, as shown on map prepared by the U. S. Engineer Office, Jacksonville, Florida, of Ft. Pierce, File No. 4-13-10, 294, and further described as being that area lying between the southeastern end of the Causeway Island and Fabers Point, in Section 2, Township 35 South, Range 40 East, St. Lucie County, which right-of-way shall be subject to Easement granted the War Department February 16, 1936 on the same area.

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The Trustees reconsidered action taken April 4th on application of Paul Schar to purchase equity of the Trustees in Drainage Tax Certificate No. 3235 covering Lots 29 to 34 inclusive, Block 8, Dixie Park Heights. Information was given that Mr. Schar was the owner of the land at the time of tax sale; that the equity of the Trustees amounts to \$1.97 and Mr. Schar offers \$17 for deed to the State's interest in the lots.

Motion was made, seconded and adopted, to rescind action taken April 4th, and it was agreed to accept offer of \$17 from Mr. Schar for equity of the Trustees in Drainage tax Certificate No. 3235.

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Mr. Elliot presented offer of \$120 from L. D. Breckenridge for Trustees' equity in lots located in Section 36, Township 56 South, Range 38 East, approximately 40 acres in Dade County. Total amount of the certificates held by the Trustees is \$21.94 which represents only the one mill tax on the land. Applicant is not the former owner of the lots.

Motion was made, seconded and adopted, to decline offer of \$120 from Mr. Breckenridge, but it was agreeable to deed the Trustees' equity in the lots upon payment of \$250.

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Application was presented from R. D. Hill, President of Gulf Stream Council Boy Scouts of America, West Palm Beach, for renewal of permit on Lake Osborne for use as a camp site for the Boy Scouts.

Motion was made, seconded and adopted to renew permit for a period of one year in favor of Gulf Stream Council, Boy Scouts of America. The Secretary was requested to have renewal permit prepared and executed.



Request was submitted from Jerrold F. Jacobs, representing John A. Markett, making application to purchase land lying between his upland and the Government meander of Lake Osborne in Sections 28 and 29, Township 44 South, Range 43 East, Palm Beach County.

Motion was made, seconded and adopted, to decline to sell the area applied for by Mr. Markett, but the Trustees were agreeable to leasing an area adjoining his property at the prevailing price for leases around the Lake.

Motion was made, seconded and adopted, to defer action on request from Southern Bell Telephone Company for right-of-way through State land in Section 36, Township 50 South, Range 41 East, Broward County, it being the opinion of the Trustees that some compensation should be received for such permit.

The Secretary was requested to notify the Telephone Company that if they desired to submit an offer for the right-of-way the Trustees would give further consideration to the application.

Report was submitted from F. C. Elliot on his trip to Washington with Assistant Attorney General Lawrence A. Truett, in connection with hearings before Committees of the Senate and House on a proposed Resolution before Congress to establish title in the United States to submerged lands along the coastal States of the Union.

The report of the Engineer was accepted and ordered filed.

Application presented from Pinellas County for right-of-way across State lands between Manatee and Pinellas County, on which to construct a bridge and tunnel, and also a right-of-way for connecting Mullet Key with the mainland, was deferred until a meeting at which the Governor can be present.

Motion was made, seconded and adopted to defer action on request from McGeachy & Jernigan for modification of Diatomite lease covering State land in Santa Rosa County.

Action was deferred on application of Lakeland-Tampa Industrial Canal Commission for approval of plans and plats in connection with canal construction.

The Trustees agreed to take up at an early date and make decision as to policy for leasing State lands for oil explorations

Motion was made, seconded and adopted, to decline offer of \$1,000 from Wayne Thomas for the purchase of approximately 1,800 acres of land in Hillsborough County, which came to the State under the 1929 Foreclosure Act, since the offer was considerably lower than amount of decree—\$3,295.39.

Application was presented from N. G. Robertson for release of statutory reservations in Deed No. 58-35 dated March 20, 1939, conveying Lot 15, Block A, Bay View Subdivision of Section 31, Township 36 South, Range 18 East, Sarasota County.

Motion was made, seconded and adopted, that the Trustees release reservations contained in Deed No. 58-35, as requested by Mr. Robertson, upon payment of \$5.

Motion was made, seconded and adopted, to accept offer of \$150 each for Lots 15 and 17, Subdivision of Lots 18, 20 and 22, Block H, Plat of Sarasota, which offer was made by Cobb Realty Company on behalf of the Christian Church of Sarasota.

The Trustees on January 19, 1939 granted request of Thos. H. Horobin for re-location of land conveyed to him by Deed No. 18128, and ordered the substitute description advertised as required by law. Pursuant to such action the following Notice was published in the Miami Herald on March 14th, 21st, 28th, April 4th, and 11th, 1939:

### NOTICE

Tallahassee, Florida, March 10, 1939

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, April 18, 1939 at Tallahassee, Florida, to consider the sale of the following described land located in DADE County, Florida:

Commence at the northeast corner of fractional Section 3, Township 53 South, Range 42 East, Tallahassee Meridian in Florida; thence South 1 degree 41 minutes 45 seconds East along the east line of fractional Section 3 as aforesaid for a distance of 863.68 feet to the point of beginning of the tract of land herein described.

From said point of beginning thence run South 1 degree 41 minutes 45 seconds East along the East

line of said fractional Section 3, as a continuation of the aforesaid course, a distance of 1,148.92 feet to a point;

Thence deflecting to the right through an angle of 125 degrees, 58 minutes 2 second, run North 55 degrees 43 minutes West for a distance of 256.05 feet to a point on the bulkhead line of Biscayne Point;

Thence deflecting to the right through an angle of 125 degrees, 58 minutes 2 seconds, run North 1 degree 28 minutes 0 seconds West for a distance of 262.35 feet to point of curvature;

Thence deflecting to the left along the radius of a circular curve having a radius of 205 feet and a central angle of 90 degrees 0 minutes 0 seconds run an arc distance of 322.01 feet to a point of tangency;

Thence run South 88 degrees 32 minutes 0 seconds West a distance of 1,845 feet to a point of curvature;

Thence deflecting to the right along the radius of a circular curve having a radius of 240 feet and a central angle of 180 degrees 0 minutes 0 seconds run an arc distance of 753.98 feet to a point of tangency;

Thence run North 88 degrees 32 minutes 0 seconds East a distance of 2,050.00 feet to a point;

Thence deflecting to the left through an angle of 14 degrees 21 minutes 19 seconds run North 74 degrees 10 minutes 41 seconds East a distance of 209.78 feet to the point of beginning of the tract of land herein described.

THIS NOTICE is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

J. M. LEE,  
Comptroller—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

No objections being filed or presented, sale was made to Thomas H. Horobin and deed was ordered issued upon payment by applicant of advertising costs.

Resolution was presented from the Board of County Commissioners of St. Lucie County, requesting sale to the County of the North 600 feet of Spoil Area No. 1, located in Indian River at Ft. Pierce. Also letter was presented from George W. Milam, requesting that notice of any sale in that area be given his client, Fort Pierce Financing & Construction Company.

Action was deferred on this request.

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Mr. Bayless presented statement of taxes due on State lands in South Florida Conservancy District amounting to \$12,354.57.

Motion was made, seconded and adopted, that check be drawn in favor of South Florida Conservancy District in payment for taxes on state lands in such district.

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The Land Clerk reported that on July 14, 1938, the Trustees agreed to quit claim reservations on 480 acres of land in Section 24, Township 53 South, Range 40 East, owned by Glenn H. Curtiss Properties, upon payment of fifty cents an acre, but that remittance and proof of ownership was not received until April 1st of this year.

The Trustees policy as to charge for releasing reservations having been changed since July 1938, motion was made, seconded and adopted, that a price of \$1 an acre be charged for release of the reservations requested by Curtiss Properties.

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Application was presented from C. A. Bailey, Pahokee, on behalf of R. J. Simonson, offering \$115 each for Lots A-56 and A-57, totaling approximately one-half acre, adjacent to upland ownership of client.

Motion was made, seconded and adopted, that offer of \$115 be declined, but it was agreed that the lots be sold at a price of \$125 each. The Land Clerk to so advise Mr. Bailey.

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Request was submitted from Joe Bongiovanni, Okeechobee, to lease thirty acres of State land in Section 26, Township 37 South, Range 35 East, Okeechobee County, offering to pay ten cents an acre annually for the first two years, fifteen cents an acre for the third year, twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year, and place the land under the Federal Soil Conservation program.

Upon consideration of the request, motion was made, seconded and adopted to decline to lease the tract for a



period of five years at the price offered, but it was agreed that lease be allowed on a yearly basis upon payment of twenty-five cents an acre.

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Motion was made, seconded and adopted, to decline offer of fifteen cents an acre for five year grazing lease on approximately 920 acres of marginal land in Section 3, Township 41 South, Range 32 East, Glades County, applied for by L. B. Platt; however, it was agreeable that lease be granted for a period of one year upon payment of twenty-five cents an acre.

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Mr. Bayless presented request from R. W. Leverett, Largo, to purchase a small tract of land in Section 35, Township 30 South, Range 15 East, Volusia County, containing approximately two and one-half acres. Information was furnished that the Land Office records indicate that the Trustees intended to convey whatever interest it had in the land to Florida Land and Improvement Company, January 5, 1883, but question has arisen about title to this small tract and Mr. Leverett, successor to Florida Land & Improvement Company, desires deed from the State.

Motion was made, seconded and adopted, that the Trustees accept offer of \$50 from Mr. Leverett for quit claim to the land described.

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Motion was made, seconded and adopted, to decline offer of \$17.50 an acre from James A. Dew, West Palm Beach, for that portion of Section 29, Township 44 South, Range 38 East, lying south and west of the Hillsboro Canal.

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The following bills were approved and ordered paid:

Capital City Publishing Co., Tallahassee, Fla. ....	\$ 15.40
W. Hiram Lawrence, Sheriff, West Palm Beach, Fla. ....	15.25
Standard Oil Company, Jacksonville, Fla. ....	19.89
American Oil Company, Jacksonville, Fla. ....	16.82
Proctor & Proctor, Tallahassee, Fla. ....	50.15
Palm Beach Publications, Inc., West Palm Beach, Fla. ....	33.75
Railway Express Company, Tallahassee, Fla. ....	1.45
Western Union, Tallahassee, Fla. ....	7.05
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	1.14
Southeastern Telephone Co., Tallahassee, Fla. ....	9.85
S. S. Savage, Ocala, Fla. ....	90.35

M. C. McIntosh, Asst. Atty. General, Tallahassee, Fla. ....	10.90
W. B. Granger, Belle Glade, Fla. ....	28.65
	<u>\$311.15</u>

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliott,  
Secretary.

Tallahassee, Florida,  
April 25, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

Attorney General Gibbs having recently made a trip to the Everglades section, reported with reference to fire control in that area and the necessity for protecting the State lands from this hazard. No action taken at this meeting.

Report was read from the Committee appointed to study the proposal for sale to Grayden Thomas of lands adjacent to Virginia Key and the protests to such sale from the City of Miami and Dade County. The Committee's recommendation is as follows:

"That unless mortgagors pay amounts due on the mortgage, including interest, that the Trustees institute foreclosure proceedings for re-vesting title to the land in the State; that until such foreclosure has been completed the Trustees do not accept any offer for the land, or commit themselves as to its disposition."

Comptroller Lee moved the adoption of the Committee report. Seconded by Mr. Knott and upon vote the motion was carried.

Comptroller Lee then moved that the Attorney General be instructed to immediately proceed with the necessary legal steps to put title to the land back in the Trustees, or collect amounts due on the mortgage. Motion seconded and upon vote duly adopted.

Mr. F. T. Peebles, representing Contract & Investment Company, and Mr. Alfred P. Marshall, City Attorney for Dunedin, appeared before the Trustees and jointly requested adjustment of Mortgage No. 17534, covering land originally sold to Dunedin Syndicate. Proposal was made that full satisfaction of mortgage be executed upon payment of \$3,541.66, concurrently with which the Company will deed to the City of Dunedin the filled area known as Dunedin Airport, containing approximately one hundred acres, bounded on the east by the paved highway, on the west by the channel in Clearwater Bay, on the south by Cedar Creek and on the north by Curlew Creek. Mr. Marshall informed the board that the City is very much interested in this property because of unpaid taxes and special assessment liens totaling around \$114,000.00 against Unit No. 1 of Dunedin Isles, which amounts cannot be collected unless the mortgage is satisfied and the Company put in position to sell the lots and carry out their development program.

Upon consideration of the proposal, it was brought out that there would be no reconveyance of land to the Trustees, and in settlement of the mortgage, amounting to \$35,416.60, the State would realize only \$3,541.66.

Motion was made, seconded and adopted, that the joint proposal from the City of Dunedin and Contract & Investment Company be referred to the Committee appointed to study other matters.

Later during the meeting, Mr. Marshall offered a counter proposal that the Trustees release from the mortgage only the Lots in Unit No. 1 upon payment of \$3,541.66, with decision on the remainder of the land under mortgage to be given at a later date.

Applicants were requested to submit this counter-proposal in writing for consideration of the Committee.

Mr. Wm. E. Thompson of Tampa, representing Wayne Thomas, requested consideration of his client's offer of \$1,000 for approximately 1800 acres of land in Hillsborough County, which vested in the Trustees through foreclosure under Chapter 14572, Acts of 1929. Information was furnished that Mr. Thomas was former owner

of this land and, in order to assist in blocking an area for a proposed park in Hillsborough County, allowed his tract to be foreclosed. Title vested in the Trustees through Master's deed and since the park project did not go through, Mr. Thomas desires to repurchase his former ownership. Amount of decree on the 1800 acres is \$3,295.39 which Mr. Thompson states is twice the appraised value of the property.

Upon motion, seconded and adopted, request of Mr. Thompson was referred to the Committee for consideration and report.

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Motion was made, seconded and adopted, that Mr. Knott be added to the Committee, consisting of Messrs. Lee, Gibbs and Mayo, appointed to consider several matters submitted to the Trustees.

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Several applications for oil leases on State lands having been submitted, the Governor requested that the Committee consider a policy of procedure in reference to leasing lands for oil exploration and submit recommendations as early as possible.

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Governor Cone was excused from further attendance at the meeting.

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The Secretary presented request from A. C. Franks, Miami, on behalf of John A. Biehn, applying to purchase equity of the Trustees represented by Drainage Tax Certificate No. 3155 on twenty acres of land in Dade County, which equity amounts to \$2.66.

Motion was made, seconded and adopted, that the Trustees accept \$12.66 for the interest represented by Drainage Tax Certificate No. 3155 on the N $\frac{1}{2}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 28, Township 55 South, Range 40 East, Dade County.

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Mr. Elliot presented letter from K. M. Throop, Treasurer, Everglades Drainage District, recommending that the Trustees grant permit to S. J. Odum, Ft. Lauderdale, for use of a strip of land adjacent to the South bank of North New River Canal, east of Twenty Mile Bend on State Road No. 26, on which to erect a cold drink and sandwich stand.

Motion was made, seconded and adopted that the Trustees grant permit to Mr. Odum on the strip of land de-



scribed for a period of one year upon payment of \$100.00, subject to approval of the State Road Department.

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Application having been received from Southern Bell Telephone Company, Mr. Elliot reported that by telephone conversation Mr. MacFealey, representing the Company, had made an offer of \$1.00 per pole for right of way across State land in Broward County, Section 36, Township 50 South, Range 41 East, with an estimate of five poles to be placed on State land.

Motion was made, seconded and adopted, that easement be granted Southern Bell Telephone Company through State lands in Broward County for a period of five years upon payment of \$1 per pole.

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Motion was made, seconded and adopted, that application from St. Lucie County, requesting deed from the Trustees to the North six hundred feet of Spoil Area No. 1, in Indian River at Fort Pierce, Florida, be declined as it was desired that this tract be retained by the State.

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Application from Pinellas County for right of ways in connection with Pinellas-Manatee Bridge and Tunnel and for Mullet Key Causeway was deferred until such time as the Governor can be present.

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Request from McGeachy & Jernigan for supplemental agreement in connection with Diatomite lease on State land in Santa Rosa County was referred to a Committee for report and recommendations.

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The Trustees deferred action on application from Lakeland-Tampa Industrial Canal Commission for approval of plats and plans in connection with canal construction.

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Application was presented from Mr. Lucien Hewlett, Crystal River, representing Standard Cedar Company, for lease to remove cedar stumps and fallen limbs from State land in Citrus and Levy Counties, with offer of twenty-five cents per cord for such material.

Motion was made, seconded and adopted that the Trustees issue lease to Mr. Hewlett's company for a period of one year upon payment of twenty-five cents (25c) a cord for all cedar stumps and fallen limbs; payment to be made on or before the 10th of each month based on Mill statement.

The following bills were approved and ordered paid :

F. C. Elliot, Engineer and Secretary—Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—Salary .....	275.00
M. O. Barco, Clerk-Stenographer—Salary .....	175.00
Jentye Dedge, Clerk-Stenographer—Salary .....	175.00
H. L. Shearer, Clerk in Land Office—Salary .....	50.00
S. S. Savage, Field Agent—Ocala, Fla.—Salary .....	200.00
F. E. Bayless, Land Clerk—Expense Account .....	10.80
E. R. Bennett, C. C. C., Ft. Lauderdale, Fla .....	7.00
The Miami Herald, Miami, Fla. ....	53.90
South Florida Conservancy District, Belle Glade, Fla.—Taxes due on Trustees land for year 1938 .....	12,354.57
	\$13,701.27

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,  
Comptroller—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 2, 1939

The Trustees of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees for April 11th, 18th and 25th,  
1939 read and approved.

Mr. F. T. Peebles again appeared before the Trustees  
on behalf of his client, Contract and Investment Company  
of Detroit, Michigan, with reference to satisfaction of  
mortgage No. 17534 and urged that the Trustees release  
to his clients the Lots in Unit No. 1 of Dunedin Isles,  
for which release they will pay \$3,541.66 and have dis-  
missed the suit pending in Federal Court against lands  
under Mortgage No. 17534; also they agree to stipulate  
that they will not file a similar suit against any of the

lands involved in the mortgage. Mr. Peebles informed the Trustees that his company is handicapped in developing this area or making sale of the lots in its present status, and that the City of Dunedin is unable to collect assessments and liens amounting to \$114,000 against this property until these lots are free from the State's mortgage.

Judge Gibbs informed Mr. Peebles that this additional information would be considered by the Committee and report made to the Trustees if possible at the next meeting.

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The Committee, which was to make recommendations with reference to several subjects presented to the Trustees, stated they were not ready to submit report except with reference to application from McGeachy & Jernigan for modification of Diatomite lease.

Motion was made, seconded and adopted, that no action be taken on report of Committee as only three members were present.

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Mr. Elliot submitted request from the War Department, U. S. Engineer Office, Jacksonville, Florida, for permit to use submerged lands of the State in Citrus County, on which to deposit spoil material in connection with dredging work in Crystal River entrance channel. That pursuant to action heretofore taken he had submitted the application to Mr. R. L. Dowling of the Conservation Department and was informed that there would be no objection to these areas being made available to the War Department for spoiling ground.

Motion was made, seconded and adopted, that the Trustees issue permit to the United States for use of submerged areas owned by the State located on the north side of the entrance channel to Crystal River, Citrus County, such areas being indicated on drawing to be attached to Permit.

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Application was presented from H. M. Forman, Ft. Lauderdale, requesting grazing lease on 927.30 acres of State land in Broward County—104.95 acres located in Sections 23 and 24, Township 50 South, Range 41 East, Newman's Survey, vested in the Trustees by virtue of Everglades Drainage District tax certificates, and 822.35 acres of fee simple land located in Section 4, Township 50 South, Range 40 East, and in Sections 22, 23, 24, Township 50 South, Range 41 East. Offer was made to place the area under Federal Soil Conservation with payments of ten cents an acre annually for the first two years, fifteen cents an acre for the third year, twenty cents an acre

for the fourth year and twenty-five cents an acre for the fifth year.

Motion was made, seconded and adopted, to decline to lease the lands applied for at the price offered, but it was agreed that lease be granted for a period of from one to five years upon payment of twenty-five cents an acre annually, with no requirements as to Federal Soil Conservation.

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A full membership of the Trustees being desired for consideration of application from Pinellas County requesting right-of-ways, and application from Lakeland-Tampa Industrial Canal Commission for approval of plats and plans, motion was made, seconded and adopted, to defer action for the present.

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Mr. Bayless presented application from Paul C. Albritton, Sarasota, on behalf of Guy M. Ragan and W. J. Lewis, offering \$100 an acre for two parcels of submerged land adjacent to upland ownership in Section 3, Township 38 South, Range 18 East, containing one-half acre each. This land is located at Osprey, between the towns of Sarasota and Venice.

Motion was made, seconded and adopted to decline offer for the submerged areas applied for by Mr. Albritton, but it was agreed that applicants would be allowed to lease the area in front of their upland at a price of \$5 annually, it being understood that such lease would not include submerged land in front of the public street.

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Motion was made, seconded and adopted, that the Land Department be authorized to place an order with the State Farm at Raiford for two thousand (2,000) metal sign plates to be used in posting the State lands.

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Application was presented from C. T. Hart, Fort Meade, offering fifteen cents an acre for grazing lease on approximately 1150 acres of State land in Okeechobee County, located on the north side of the Kissimmee River in Township 38 South, Range 34 East.

Motion was made, seconded and adopted, to lease the area applied for by Mr. Hart for a period of one year at fifteen cents an acre.

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Mr. Bayless presented letter from Joe W. Hawkins, Manager of Withlacoochee Development Project, U. S. Department of Agriculture, offering \$600 for 160 acres



of State land in Citrus County, being the  $W\frac{1}{2}$  of  $E\frac{1}{2}$  of Section 15, Township 19 South, Range 18 East.

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The Land Clerk reported that an appraisal had been made of this tract, valuing the land at \$5 an acre and the timber at \$266.75, or a total for land and timber of \$1,066.75.

Upon discussion, motion was made, seconded and adopted that the offer from the United States be declined and that a price of \$1,066.75 be placed on the property.

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Offer of \$20 an acre was submitted from Clarence W. Maxwell for the  $NE\frac{1}{4}$  of Section 19, Township 42 South, Range 38 East, Palm Beach County, located south of the West Palm Beach Canal about six miles East of Canal Point.

Motion was made, seconded and adopted, to decline offer of \$20 an acre from Mr. Maxwell, but it was agreed to sell the land at a price of \$40 an acre.

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Motion was made, seconded and adopted to decline offer of \$5 an acre from North Shore Corporation for the purchase of approximately thirty acres of land adjacent to North Jetty at St. Johns Inlet, which land was formed by accretions and from dredging operations in connection with the River channel.

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The Trustees declined offer of \$20 an acre from H. J. Driggers for that part of the  $W\frac{1}{2}$  of  $NW\frac{1}{4}$  of Section 4, Township 50 South, Range 40 East, lying South of North New River Canal, and Tracts 4 and 6, Tier 3 of Section 24, Township 50 South, Range 41 East, Newman's Survey, containing in all approximately forty-eight acres.

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In reference to request from Mr. J. H. Peebles, on behalf of James J. Winn and Dan Allen, to lease approximately seventy-five acres of lake bottom land west of Clewiston at a price of twenty-five cents an acre annually, Mr. Bayless reported that this area lies on the lake side of the new Government Levee and the War Department in 1935 recommended that the Trustees do not sell or lease any lands so located owing to flood hazards.

Motion was made, seconded and adopted, to defer action on application from Mr. Peebles.

Motion was made, seconded and duly adopted to decline offer of \$200 from Sheriff Walter R. Clark, Ft. Lauderdale.

dale, on behalf of M. C. Perfect, for Tract 4, Tier 3, Township 50 South, Range 41 East, Newman's Survey of Broward County.

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Application was presented from Boozer & Boozer, West Palm Beach, in the interest of Annie B. Beach, offering \$75 an acre for ten acres of lake bottom land on Lake Mangonia, adjacent to upland property in Section 5, Township 43 South, Range 43 East, Palm Beach County.

Motion was made, seconded and adopted to defer action on application of Boozer & Boozer until a full membership of the Trustees can be present.

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Offer of \$5 was presented from A. R. Richardson, representing Alley & Burns of West Palm Beach, for release of statutory reservations in Deed No. 17094 dated September 28, 1922, embracing an island in Lake Worth containing .89 of an acre.

Upon motion seconded and adopted, the Trustees accepted offer of \$5 for release of reservations in Deed No. 17094.

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Application was presented from A. R. Richardson, representing Marion D. McCormick and Barbara Danielson, upland owners of Government Lots 5 and 8, Section 19, Township 53 South, Range 42 East, Dade County, offering \$150 an acre for the purchase of spoil banks in Biscayne Bay, easterly of Fractional Section 18, Township 53 South, Range 42 East, or if preferable an offer to lease the areas at a price of \$10 an acre annually. It was suggested that either deed or lease could contain a restriction clause that no developments would be placed on the spoil banks.

Only three members of the Trustees being present, action was ordered deferred on application from Mr. Richardson.

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Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 9, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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The Secretary presented application from James M. McCaskill, Miami, representing George H. Cooper, offering \$7.85 for land covered by Everglades Drainage District tax certificate No. 3413, located in Section 27, Township 56 South, Range 39 East, Dade County, approximately forty acres.

Motion was made, seconded and adopted, to decline offer of \$7.85 for the land covered by Certificate No. 3413, but it was agreed to accept \$25 if Mr. Cooper cared to purchase at that price.

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Mayor J. A. Dulaney and Mr. Clarence W. Maxwell of Pahokee requested that the Trustees reconsider action taken May 2nd declining offer of \$20 an acre and placing a value of \$40 an acre on the NE $\frac{1}{4}$  of Section 19, Township 42 South, Range 38 East—160 acres in Palm Beach County. Mr. Dulaney informed the board that he believed the offer made by Mr. Maxwell was a good price as the land is cold and crops can only be planted at certain seasons; also that purchaser would have the expense of clearing the land before it could be planted.

Upon reconsideration of the application, motion was made, seconded and adopted, to rescind action taken May 2nd, and the Trustees agreed to sell the land applied for by Mr. Maxwell at a price of \$30 an acre.

Mr. Maxwell was requested to notify the Trustees within the next few days of his decision.

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Motion was made, seconded and adopted, to defer action on Committee's report having reference to request from McGeachy & Jernigan for modification of Diatomite Lease.

Comptroller Lee suggested that some action be taken on the future policy of the Trustees with reference to leasing State lands for oil exploration:

Upon request of Attorney General Gibbs, action was deferred until the Committee has opportunity to meet and submit a report to the Governor.

The Trustees on April 4, 1939, accepted offer of \$20 an acre from Robert P. Hess and Vernon Hawthorne of Miami, for approximately 4210 acres of land in Palm Beach County, subject to advertisement as required by law. Pursuant to such action the following Notice was published in the Palm Beach Post, West Palm Beach, Florida, April 8th, 15th, 22nd, 29th and May 6th, 1939:

### NOTICE

Tallahassee, Florida, April 5, 1939

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida and the State Board of Education of the State of Florida, will hold a meeting at 12 o'clock Noon, Tuesday, May 9, 1939, at Tallahassee, Florida, to consider the sale of the following described land located in PALM BEACH County, Florida:

Sections 7, 16, 17 and 21 lying South and West of West Palm Beach Canal; All of Sections 19, 29 and 31; Section 27 Less  $N\frac{1}{2}$  of  $NE\frac{1}{4}$ , all lying and being in Township 43 South, Range 39 East, Palm Beach County, Florida. Containing a total of 4210 acres, more or less.

This Notice is published in compliance with Section 1223 of the Revised General Statutes of Florida that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund and the State Board of Education.

Fred P. Cone, Governor—Chairman.

Attest: F. C. Elliot, Secretary.

No objections having been filed or presented and no other bids received, the land was sold to Messrs. Hess and Hawthorne at a price of \$20 an acre, plus cost of advertising. Terms of sale to be twenty-five (25) per cent of the purchase price in cash and the balance in five equal annual payments with interest at six per cent annually.



Action was again deferred on request from Pinellas County for right-of-ways in connection with Pinellas-Manatee Bridge and Tunnel, and Mullet Key Causeway.

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Mr. Bayless presented offer of \$20 a year from Vic Jenny, Key West, for five year lease on Friend Key to be used as a fishing camp site. The Key contains approximately six acres; is located about seven miles north of Overseas Highway and north of Bahia Honda Key, in Monroe County.

Upon motion seconded and adopted, the Trustees declined offer of \$20 a year for the lease, but it was agreed to lease the Key at the rate of \$25 annually for a period five years.

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Application from J. H. Peeples on behalf of James J. Winn and Dan Allen, having been deferred at the last meeting, Mr. Bayless again submitted offer of twenty-five cents an acre for lease on approximately seventy-five acres of lake bottom land west of Clewiston on the lake side of the Government Levee. Information was furnished that in 1935 the War Department recommended that the Trustees do not sell or lease any land on the lake side of the Levee on account of flood hazards.

Motion was made, seconded and adopted that Mr. Peeples be advised that the Trustees are not ready at this time to lease or sell any land on the lake side of the Government Levee, and for that reason application of Winn and Allen is denied.

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Application was submitted from Robert A. Reagin, Miami, offering \$25 for a five year lease on tidal land in Monroe County, approximately eight-five miles southwest of Miami. The tract comprises about one-fourth of an acre and is desired as a fishing camp site.

Motion was made, seconded and adopted to lease the tidal land applied for by Mr. Reagin at the price offered—\$25—for a period of five years; the land to be used as a fishing camp site.

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Action was deferred on application from A. R. Richardson, Tallahassee, on behalf of Clients Marion D. McCormick and Barbara Danielson, to purchase or lease spoil banks in Biscayne Bay adjacent to their upland ownership.

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Motion was made, seconded and adopted, to decline offer of \$10 an acre from John Szady for five acres of

land located on the Tamiami Trail, thirty-five miles west of Miami, described as the N $\frac{1}{2}$  of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 21, Township 54 South, Range 35 East, Dade County.

Mr. Bayless reported that he had a verbal offer of \$50 an acre from H. M. Forman to purchase ten acres of land owned by the Trustees, being Lot 4, Tier 3, Newman's Survey of Township 50 South, Range 41 East, Broward County. The land is desired in order to effect an exchange in connection with right-of-way for a State Road.

The Trustees requested that Mr. Forman submit his application in writing for presentation at the next meeting.

Mr. Bayless informed the board that the legislature of 1925 passed an act—Chapter 10162—validating and confirming action of the Trustees of the Internal Improvement Fund with reference to land sales prior to 1925, and that it would be desirable to have a similar act passed at this Session validating all sales and conveyances under Sections 1055 to 1062 inclusive, Compiled General Laws of Florida, subsequent to 1925.

Motion was made seconded and adopted that the Attorney General be requested to prepare such a bill if he deemed it advisable, and take the necessary steps to have it introduced.

The following bills were approved and ordered paid:

W. B. Granger, Belle Glade, Fla.—Expense Account .....	\$ 32.03
S. S. Savage, Ocala, Fla.—Expense Account .....	160.60
Palm Beach Publications, Inc., West Palm Beach, Fla. ....	9.75
Proctor and Proctor, Inc., Tallahassee, Fla. ....	7.82
The Texas Company, Atlanta, Ga. ....	2.46
Standard Oil Company, Jacksonville, Fla. ....	1.98
American Oil Company, Jacksonville, Fla. ....	33.78
Van Brunt & Yon, Tallahassee, Fla. ....	2.95
Western Union, Tallahassee, Fla. ....	1.83
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	1.17
Southeastern Telephone Co., Tallahassee, Fla. ....	8.50
	<u>\$262.89</u>

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 16, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Minutes of the Trustees for May 2nd and 9th, 1939, read and approved.

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The Secretary presented request from Palm Beach County for dedication as a County Park certain areas West of Lake Osborne in Sections 29 and 32, Township 44 South, Range 43 East, comprising approximately 252 acres unsubmerged and 303 acres under water. Information was furnished that Palm Beach County is sponsoring a bill in the legislature giving authority for such project and in the event the plans materialize the tract now leased to the Boy Scouts as a camp will be retained by them under a long term lease.

In discussion of the proposed park it was suggested that other private owners adjoining the Lake might donate land for this purpose, since the Phipps Interests have offered to deed a tract of 120 acres.

Motion was made, seconded and adopted, to defer action on proposal from Palm Beach County, and Mr. Elliot was requested to take up with County Officials the suggestion that privately owned lands be donated as a part of the proposed park area.

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Motion was made, seconded and adopted, that Mr. Elliot be authorized to buy two new typewriters for his office, with two old machines to be traded in on the purchase.

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Application was presented from the town of Naples for right-of-way easements and spoil area grants in favor of the United States of America in connection with proposed Government inside passage channel from Naples, Florida, to Big Marco Pass, Florida. Mr. Elliot explained that

the request was similar to others which the Trustees have granted, except that a change is suggested in the wording of the description, for the reason that the Government Survey shows certain of the lots to lie across the waterway as located by the War Department Plat and such Plat in turn shows the waterway to lie across the Government Lots as located by the Government Surveys.

Upon motion, seconded and adopted, the Trustees deferred action on the application from the Town of Naples for perpetual easement for right-of-way and temporary easement for spoil areas.

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Application was presented from N. G. Robertson for the purchase of Lot 7, Block 15, Plat of Sarasota, which vested in the Trustees through tax foreclosure by Sarasota County under Chapter 14572, Acts of 1929. Statement was made that decree on this Lot is \$304.64.

Motion was made, seconded and adopted to accept \$500 for Lot 7, Block 15, Sarasota, applied for by Mr. Robertson.

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Request was submitted from the State Road Department for right-of-way grant across State land in Broward County described as a strip or parcel of land for highway purposes in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 34, Township 49 South, Range 39 East, which strip is in addition to a previous grant dated August 20, 1937.

Motion was made, seconded and adopted, that the Trustees grant right of way to the State Road Department over the land described, to be used in connection with State Road No. 26, Project 1104, Broward County. Easement was ordered executed and delivered to the Road Department.

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Mr. Ben Herr appeared before the Trustees with reference to request submitted by Okeechobee Flood Control District to the U. S. Board of Engineers for repayment to Trustees of the Internal Improvement Fund of amounts expended by the State in the construction of Pelican Bay Culvert through Okeechobee Levee. Mr. Herr informed the board that the District Engineer has reported unfavorably on this claim, but that the U. S. Board of Engineers has indicated that it will grant a hearing in the matter if desired.

Upon discussion, motion was made, seconded and adopted, that Mr. Herr be authorized to present claim of



the Trustees of the Internal Improvement Fund for repayment of expenditures in connection with Pelican Bay Culvert.

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Offer of \$50 an acre was submitted from Napoleon B. Broward Drainage District for purchase of Lot 4, Tier 3, Newman's Survey, Township 50 South, Range 41 East, Broward County—10 acres.

Information was furnished that this Lot is desired in order to effect an exchange for another Lot necessary for right-of-way purposes in connection with State Road No. 26 to Port Everglades.

Motion was made, seconded and adopted, that offer from Napoleon B. Broward Drainage District of \$50 an acre be accepted for Lot 4, Tier 3, Newman's Survey.

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Mr. Bayless reported that in reference to lease granted W. Martin Burket for taking timber from Chipola River and Dead Lakes, Mr. Burket has advised that there is also some green timber in the Lake which he would like to take out along with dead head logs and requests that such provision be made in his lease.

Motion was made, seconded and adopted, that Mr Burket be given permission to take green timber from Chipola River and Dead Lakes at the same price specified in his lease for removing deadhead cypress and pine.

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The Trustees deferred action on request from A. R. Richardson, on behalf of clients, to purchase or lease spoil banks in Biscayne Bay in front of upland property of Marian D. McCormick and Barbara Danielson.

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Mr. Bayless reported that abstracts have been requested on Palm Beach County land sold to Robert P. Hess May 9th, as some of the land had heretofore been sold to Richard J. Bolles and Fred M. Valz and upon reconveyance to the State no abstracts were furnished. \$100 was estimated as the cost of the abstracts.

Motion was made, seconded and adopted, that the Land Office procure abstracts covering lands reconveyed to the State and recently sold to Mr. Hess.

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The Trustees passed for future action application from A. R. Richardson, on behalf of John H. Phipps, to lease approximately 1,200 acres of Lake Jackson land for pasturage purposes upon payment in advance of twenty-five cents an acre annually for five years.

The Trustees approved for passage at this session of the legislature a bill for validating and confirming all sales, conveyances and contracts for sale of sovereignty lands of the State.

Mr. Bayless reported that on July 16, 1847, the State selected Section 32, Township 2 North, Range 16 West, under the provisions of Congress, September 4, 1841, which selection was approved to the State July 16, 1849. It now appears that the United States Government confirmed to one Jonathan Bunker, under Section 1 of the Acts of Congress April 22, 1826, Lots 3, 4, 5, 6, 9, 10, 11 and 12 of said Section 32, containing 302.68 acres, and while the State's selection of Section 32 was approved the State did not take title to the lots embraced in Mr. Bunker's claim. Therefore, the State is entitled to select other lands in lieu of the 302.68 acres, and the United States has agreed to issue indemnity for this area, provided the State will reconvey to the United States such title or interest as they might have in the Lots confirmed to Mr. Bunker.

Motion was made, seconded and adopted, that the Trustees execute quit claim deed in favor of the United States conveying any title the State might have to Lots in Mr. Bunker's claim, described as Lots 3, 4, 5, 6, 9, 10, 11 and 12 of Section 32, Township 2 North, Range 16 West, it being understood that the Trustees will receive indemnity from the United States in lieu of such lots.

Financial Statement for the month of April is as follows:

FINANCIAL STATEMENT FOR APRIL, 1939  
RECEIPTS

Receipts on account of various land sales .....	\$ 1,715.10
Land sales under Chapter 14717, Acts of 1931 .....	212.00
Part payment on Entry No. 244 .....	250.00
Quit Claim to reservation in Deed No. 17741 .....	7.50
Quit Claim to oil and mineral rights (Kelsey City) .....	200.00
Royalties on sand, shell and gravel .....	425.36
Timber lease .....	637.50
Farm Lease .....	165.00
Grazing lease .....	4.50
Reimbursement, publishing notice Pinellas County lands .....	10.50

Reimbursement, taxes paid Park land, DeSoto County .....	315.58
Total receipts during month .....	\$ 3,943.04
Balance on hand April 1, 1939 .....	93,328.18
	<u>\$97,271.22</u>
Less disbursements (itemized below) .....	14,413.77
Balance April 30, 1939 .....	<u>\$82,857.45</u>

## RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	<u>81,857.45</u>
	<u>\$82,857.45</u>

## BALANCES IN BANKS APRIL 30, 1939

The Atlantic National Bank, Jackson- ville, Fla. ....	\$55,991.39
The Florida National Bank, Jackson- ville, Fla. ....	17,781.36
The Capital City Bank, Tallahassee, Fla. ....	<u>8,084.70</u>
	<u>\$81,857.45</u>

## DISBURSEMENTS

Date 1939	No.	In Favor of:	Amount
April 5,	11372	F. C. Elliot .....	\$ 118.69
	11373	Lawrence A. Truitt .....	120.96
	11374	M. C. McIntosh .....	83.00
	11375	Tyrus A. Norwood .....	89.20
19,	11376	Capital City Publishing Co. ....	15.40
	11377	W. Hiram Lawrence, Sheriff .....	15.25
	11378	Standard Oil Co. ....	19.89
	11379	American Oil Co. ....	16.82
	11380	Proctor & Proctor .....	50.15
	11381	Cancelled .....	
	11382	Palm Beach Publishing Co. ....	33.75
	11383	Railway Express Agency .....	1.45
	11384	Western Union Telegraph Co. ....	7.05
	11385	Postal Telegraph-Cable Co. ....	1.14
	11386	Southeastern Telephone Co. ....	9.85
	11387	S. S. Savage .....	90.35
	11388	M. C. McIntosh .....	10.90
	11389	W. B. Granger .....	28.65
29,	11390	F. C. Elliot .....	400.00
	11391	F. E. Bayless .....	275.00
	11392	M. O. Barco .....	175.00
	11393	Jentye Dedge .....	175.00

11394	H. L. Shearer .....	50.00
11395	S. S. Savage .....	200.00
11396	F. E. Bayless .....	10.80
11397	E. R. Bennett, C. C. C. ....	7.00
11398	The Miami Herald .....	53.90
11399	South Florida Conservancy	
	Dist. ....	12,354.57
Total Disbursements for April, 1939		\$14,413.77

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 23, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees for May 16th presented and approved.

The Secretary reported that pursuant to action April 11th, the Attorney General's Office had examined into the legality of reconveyance by the Trustees of certain lands in Hardee and Highlands Counties, originally intended to be included in Highlands Hammock State Park, and have prepared quit claim deeds in favor of Clayton C. Townes, Cleveland, Ohio, who is purchasing such lands at a price of \$10,000.00.

Motion was made, seconded and carried that the following resolution be adopted and that quit claim deeds as approved by the Attorney General be executed by the Trustees and delivered, and that the money be paid to Trustees of Highlands Hammock State Park to be



spent under the direction of the Florida Board of Forestry as provided in the resolution:

### RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund, by resolution adopted April 18, 1934, as appearing on pages 676 and 677 of Volume 19, printed Minutes of the said Trustees, accepted as a gift certain lands located in Highlands County, Florida, and pursuant to the terms of the Gift Agreement as set forth on pages 678 to 681 of said Minutes, dedicated the said lands described therein as a State Park and authorized the State Board of Forestry to proceed with work in connection with said lands as a State Park, which said dedication, subject to the terms of the said resolution and said agreement, is hereby confirmed, and

WHEREAS, for the purpose of expanding and enlarging said State Park and for acquisition of additional lands, Chapters 17530, 17546 and 17551, Special Acts of the Legislature of 1935, were enacted, and by virtue of said Acts certain lands were acquired by the Trustees of the Internal Improvement Fund for the purpose of forming a part of an enlarged park to be known as HIGHLANDS HAMMOCK STATE PARK, and in anticipation of the acquisition of additional lands and conditioned upon the vesting of good and sufficient title thereto in the Trustees of the Internal Improvement Fund, the said Trustees did, on December 21, 1936, adopt a resolution dedicating a certain area in Highlands County, Florida, as a part of Highlands Hammock State Park, which said area was described as follows:

1. The NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  and the W $\frac{1}{2}$  of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 35. Also the N $\frac{1}{2}$  and the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 34, all in Township 34 South, Range 28 East.
2. The SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 28 East.
3. Sections 28, 29 and 30, Township 34 South, Range 28 East.
4. Sections 20 and 21, Township 34 South, Range 28 East.
5. The E $\frac{1}{2}$  and the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 30, and Sections 31 and 32, Township 33 South, Range 28 East. Also Sections 6, 7, 8 and the S $\frac{1}{2}$  and the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of

Section 9, and Sections 17, 18, and the S $\frac{1}{2}$  and the NW $\frac{1}{4}$  of Section 16, and N $\frac{1}{2}$  of Sections 31 and 32, all in Township 34 South, Range 28 East. Also the S $\frac{1}{2}$  of Section 6 in Township 35 South, Range 28 East..

6. Section 19, Township 34 South, Range 28 East.
7. The SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 9 and NE $\frac{1}{4}$  of Section 16, Township 34 South, Range 28 East.

and,

WHEREAS, it has been found impracticable to acquire all of the lands composing the area dedicated by said Resolution of December 21, 1936, and that there remain unacquired areas lying between and separating parcels hitherto acquired from the area of the parks and dedicated by Trustees' resolution of April 18, 1934, and it having been found impracticable by the Florida Forest and Park Service to administer, protect, improve and develop the isolated tracts hitherto acquired which are separated from the park proper, and the said Forest and Park Service and the DeSoto Forest Park Association, a chartered non-profit association organized in the interest of and for furthering the park project, have each recommended that a beneficial disposition of the isolated lands for which the Trustees of the Internal Improvement Fund hold title, will be the sale of said lands and the application of the money received therefrom to the operation, maintenance and improvement of Highlands Hammock State Park and for exchange for lands adjacent to said Park, and the said Trustees of the Internal Improvement Fund being likewise of the opinion that such sale and the application of funds therefrom and the exchange of lands will be to the best interest of the State park and that the Trustees have authority to execute deed or deeds and to make disposition of the funds for the purpose aforesaid, and to exchange lands for said purpose, now, therefore

BE IT RESOLVED:

1. That the dedication of land for state park purposes as set forth in resolution of the Trustees of the Internal Improvement Fund adopted December 21, 1936, as appearing on pages 253-255 of the printed Minutes of the said Trustees, Volume 20, is hereby withdrawn from dedication as a part of Highlands Hammock State Park.
2. That in lieu of the land dedicated by resolution of December 21, 1936, the following lands, title to which is held by the Trustees of the

Internal Improvement Fund, is hereby dedicated to be a part of said Highlands Hammock State Park, to be administered by the Florida Board of Forestry:

IN HARDEE COUNTY:

Section 36, Township 34 South, Range 27 East; SE $\frac{1}{4}$  of NE $\frac{1}{4}$  and E $\frac{1}{2}$  of SE $\frac{1}{4}$ .

IN HIGHLANDS COUNTY:

Township 34 South, Range 28 East: Section 31—N $\frac{1}{2}$  and that part of S $\frac{1}{2}$  lying North of Public Road; In the S $\frac{1}{2}$ , all South of Public Road in the SW $\frac{1}{4}$  and in the W $\frac{1}{4}$  of W $\frac{1}{2}$  of SE $\frac{1}{4}$ .

Section 32—All North of Public Road;

Section 33—All North of Public Road;

Township 35 South, Range 28 East:

Section 6—S $\frac{1}{2}$  of NE $\frac{1}{4}$  and W $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and W $\frac{1}{2}$  and SE $\frac{1}{4}$ .

3. That pursuant to the recommendations of the Florida Board of Forestry and DeSoto State Forest Park, a non-profit association, the lands hereinafter described are hereby made available:
  - (a) For sale, conditioned that the proceeds thereof shall be applied under the direction of the Florida Board of Forestry to the maintenance, improvement and operation of said Highlands Hammock State Park,
  - (b) For exchange for other lands suitable for park purposes adjacent to and to become a part of said park,

And with reference to both sale and exchange, that the same be with the approval of and through the Trustees of the Internal Improvement Fund, and that the lands available for such disposition are as follows:

Township 33 South, Range 28 East:

Section 30—The E $\frac{1}{2}$  and the E $\frac{1}{2}$  of the SW $\frac{1}{4}$ ;

Section 31—All

Section 32—All

Township 34 South, Range 28 East;

Sections 6, 7, 8—All

Section 9—S $\frac{1}{2}$  and the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  and S $\frac{1}{2}$  of NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ ,

Sections 17 and 18—All

Section 16—S $\frac{1}{2}$  and NW $\frac{1}{4}$ .

Containing an aggregate area of 5,880 acres, more or less.

The Trustees deferred action on report from the Committee on request of McGeachy & Jernigan for modification of Diatomite lease covering Santa Rosa County lands.

The Secretary presented request from the town of Naples for perpetual easement deed for right of way and temporary easement grant for spoiling ground in favor of the United States, to be used in connection with improvement of channel from Naples to Big Marco Pass, in Collier County, Florida, such areas being located in Sections 34 and 35, Township 50 South, Range 25 East; Sections 2, 11 and 24, Township 51 South, Range 25 East, and Section 31, Township 51 South. Range 26 East.

Motion was made, seconded and adopted that the Trustees grant request of the town of Naples, and that easements in favor of the United States of America, for right-of-way and spoiling ground in connection with channel improvement from Naples to Big Marco Pass, be executed and transmitted to the War Department.

Mr. Bayless reported that C. E. Thomas, South Bay, holds assignment from Edward B. Utter of Contract No. 18270 dated December 29, 1934, for the purchase of sixty acres of land in Section 1, Township 44 South, Range 35 East, Palm Beach County, on which contract there has been made only one payment of \$392.10. Mr. Thomas requests that this contract be re-dated and that he be allowed to make payment of \$392.10 cash and similar payments semi-annually for the next ten years until the total amount of \$7,842.00 is paid.

Upon consideration of the request, motion was made, seconded and adopted, that upon payment of all interest to date, the Trustees re-date Contract \$18270 and allow Mr. Thomas to make payments as outlined above.

Offer of \$30 an acre was submitted from Robert Hatton, Pahokee, for the purchase of the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 19, Township 43 South, Range 38 East — 40 acres in Palm Beach County — and a similar offer from Joseph L. Hatton, Pahokee for the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 19, Township 43 South, Range 38 East — 40 acres in Palm Beach County.

Motion was made, seconded and adopted, that the offers from Robert Hatton and Joseph L. Hatton of \$30 an acre for the lands applied for be accepted.

Application was presented from J. H. Darden, Belle Glade, offering \$71 an acre for property recently fore-



closed by the State located between his property and the Old State Dyke. Also a counter offer to lease the land for a period of five years should the Trustees decline to sell.

Motion was made, seconded and adopted, that the offer to purchase the land applied for by Mr. Darden be declined, but it was agreeable to execute farm lease on the tract for a period of five years upon payment of Ten Dollars (\$10.00) an acre annually.

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The Trustees passed for further consideration the request from A. R. Richardson, on behalf of Marian D. McCormick and Barbara Danielson, for sale or lease of spoil areas in Biscayne Bay lying east of their property.

Mr. Bayless presented application from Giles and Gurney, Orlando, on behalf of Louise Brannon Greer, offering \$25 for less than one-half acre of marginal land between property of applicant and the waters of Lake Conway in Orange County.

Upon motion seconded, and duly adopted, the Trustees declined to accept the offer made for the tract on Lake Conway, but agreed on a price of \$125 for the fraction of an acre.

Application was presented from J. U. Bethel, St. Petersburg, representing clients Cyrus F. Mackey and wife, offering \$150 an acre for approximately six and one-half acres of submerged land adjacent to upland owned by them in Section 24, Township 31 South, Range 15 East, Pinellas County.

Motion was made, seconded and adopted, to decline offer of \$150 an acre submitted by Mr. Bethel.

Application was submitted from W. W. Parsons, LaBelle, for grazing lease on thirty acres of lake bottom land in Sections 25 and 36, Township 42 South, Range 31 East, located on Lake Hicpochee in Glades County, for which lease he offered forty (40) cents an acre annually.

Motion was made, seconded and adopted, that the Trustees lease the land applied for by Mr. Parsons for a period of five years upon payment of forty (40) cents an acre annually.

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May 2nd the Trustees granted permit in favor of the United States for depositing spoil material along the north side of the entrance channel to Crystal River, Florida, which permit as executed by the Trustees and accepted

by Lewis H. Watkins, District Engineer, on behalf of the War Department, is as follows:

**PERMIT FOR DEPOSITING DREDGED MATERIAL  
ALONG NORTH SIDE OF ENTRANCE CHANNEL  
TO CRYSTAL RIVER, FLORIDA**

**TRUSTEES OF THE  
INTERNAL IMPROVE- TO WAR DEPARTMENT  
MENT FUND OF THE OF THE UNITED  
STATE OF FLORIDA STATES**

WHEREAS, Pursuant to application dated March 18, 1939, from the District Engineer Officer, United States War Department, Jacksonville, Florida, for PERMIT to deposit dredged material upon certain areas along the North side of the entrance channel to Crystal River, Florida, and

WHEREAS, the Trustees of the Internal Improvement Fund are the owners of the bottoms comprising said spoil areas, now therefore,

THIS PERMIT Issued by the Trustees of the Internal Improvement Fund hereby authorizes the WAR DEPARTMENT OF THE UNITED STATES, its agents, engineers, and/or contractors, to deposit on those certain areas indicated as spoil areas on map attached hereto, identified by the caption "CRYSTAL RIVER, FLA. (6 Ft. Project) Survey January, 1939", and by this instrument made a part hereof, material excavated in the construction and maintenance of the entrance channel to Crystal River, Florida.

SUBJECT TO THE CONDITION That this permit and the authorization to the War Department of the United States herein described shall not affect or impair the title to the bottoms used for said spoil areas, and in the event through the deposit of excavated material thereon said areas or any of them shall be raised to an elevation of five feet or above, as referred to M. L. W., the privileges hereby conveyed shall revert to the Trustees of the Internal Improvement Fund, CONDITIONED, that the Trustees grant authority for using other areas selected by the War Department for like purposes.

THIS PERMIT shall become effective upon the execution of the same by the Trustees of the Internal Improvement Fund and its acceptance by a proper officer of the War Department of the United States.

IN WITNESS WHEREOF the Trustees of the Internal Improvement Fund have executed this PERMIT in duplicate this 2nd day of May A. D. 1939, and the said War

Department has accepted the said Permit for the purposes herein described.

FRED P. CONE, (SEAL)  
Governor.

J. M. LEE, (SEAL)  
Comptroller.

W. V. KNOTT, (SEAL)  
State Treasurer.

GEORGE COUPER GIBBS, (SEAL)  
Attorney General.

NATHAN MAYO, (SEAL)  
Commissioner of Agriculture.

As and composing the Trustees of the  
Internal Improvement Fund of the  
State of Florida.

(SEAL)

TRUSTEES I. I. FUND.

(SEAL)

DEPARTMENT OF AGRICULTURE.

ACCEPTED BY:

LEWIS H. WATKINS,  
Colonel, Corps of Engineers  
District Engineer Officer,  
Jacksonville, Florida.

The following bills were approved and ordered paid:

F. E. Bayless, Land Clerk—Expense Account .....	\$ 12.35
M. C. McIntosh, Assistant Atty. General—Expense Account .....	11.75
Culver Smith, West Palm Beach, Fla. ....	15.00
James A. Ellis Company, Jacksonville, Fla. ....	22.25
Capital Office Equipment Co., Inc., Tallahassee, Fla. ....	117.61
S. S. Savage, Field Agent, Ocala, Fla. ....	121.50
F. C. Elliot, Engineer and Secretary—Salary .....	400.00
F. E. Bayless, Land Clerk—Salary .....	275.00
M. O. Barco, Clerk and Stenographer—Salary ....	175.00
Jentye Dedge, Clerk and Stenographer—Salary .....	175.00
H. L. Shearer, Clerk in Land Office—Salary .....	50.00
S. S. Savage, Ocala, Fla., Field Agent—Salary .....	200.00
	<u>\$1,575.46</u>

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 30, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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Mr. George A. Speer of Sanford, on behalf of C. S. Lee, submitted verbal offer of \$3 an acre for approximately four hundred acres of land in Seminole County owned by the State.

Motion was made, seconded and adopted, that the offer be submitted in writing for the Trustees consideration at a later meeting.

---

Mr. Hal Y. Maines, Lake Butler, on behalf of Willie Croft, submitted offer of \$50 for the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 34, Township 4 South, Range 19 East, Union County. Statement was made that a tax deed was erroneously issued on this land about twenty-five years ago and subsequent taxes paid by the holder of such tax deed till the year 1926 when tax certificate was issued to the State. In 1928 Willie Croft purchased all outstanding tax certificates for the years 1926, 1927 and 1928, and secured deed to the land from the Clerk of the Circuit Court. Mr. Croft has since learned that this was vacant land with title in the State, and now makes an offer of \$50 for the forty acres.

Motion was made, seconded and adopted, that the Field Agent make examination of the land and report back to the board before action is taken.

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.



Tallahassee, Florida,  
June 6, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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Minutes of the Trustees dated May 23rd and 30th, 1939, read and approved.

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The Secretary reported that lists of lands owned by the State lying within Everglades Drainage District have been prepared and are now ready for approval of the Trustees as required by law. Whereupon, the following Resolution was adopted:

#### RESOLUTION

WHEREAS, pursuant to Chapter 8412, Laws of Florida, Acts of 1921, the Trustees of the Internal Improvement Fund of the State of Florida are required to ascertain and certify the assessed value of lands of the Internal Improvement Fund within Everglades Drainage District, and the said Trustees having ascertained the assessed valuation of such lands, now therefore,

BE IT RESOLVED That the assessed value of lands of the Internal Improvement Fund as ascertained by the said Trustees for the year 1939, be and the same is hereby certified to the Board of Commissioners of Everglades Drainage District as set forth on the attached lists, which said lists are identified by the signature of the Governor and attested by the Secretary under the seal of the said Trustees.

The Secretary was directed to have the lists properly executed and forwarded to Everglades Drainage District for extension on the 1939 assessment rolls.

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The Secretary presented request from the State Road Department for right-of-way over and across Old Tampa Bay on which to construct a highway connecting Tampa, St. Petersburg and Clearwater.

Motion was made, seconded and adopted to defer action on this request until a meeting at which a full membership can be present.

---

Mr. Elliot submitted offer of \$20 from J. H. Jones to purchase the equity of the Trustees amounting to \$10.48 in 1.14 acres of land covered by Everglades Drainage tax Certificate No. 1151, Palm Beach County. Affidavit was filed that applicant was owner of the land at time of tax sale.

Upon motion, seconded and adopted, it was agreed to accept \$20 offered by J. H. Jones for the Trustees equity in the North 150 feet of Tract 56 S/D of Section 20, Township 42 South, Range 37 East.

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The Secretary presented letter from W. W. Upham, on behalf of International Realty Associates, Inc., of St. Petersburg, requesting approval of the Trustees in connection with applicants application to the War Department for permission to extend and improve the present groin at St. Petersburg Beach out into the water an additional seventy-five (75) feet, for the purpose of deflecting the waters of Blind Pass into the Gulf of Mexico. It was represented that the construction of this extension to the groin will lessen erosion and safeguard bathing at this beach.

Upon discussion, motion was made, seconded and adopted, that the Trustees give their approval to application of International Realty Associates, Inc., in connection with groin extension at St. Petersburg Beach.

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Mr. Elliot presented letter from Ft. Pierce Financing and Construction Company, withdrawing application submitted July 13, 1938, for the purchase of Spoil Area No. 1, located at Ft. Pierce, St. Lucie County.

The Trustees directed that record be made of withdrawal of application from Ft. Pierce Financing & Construction Company.

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Request was presented from Istokpoga Consolidated Sub-Drainage District that the Trustees survey all the unsurveyed lands within such District in order that the land lines be officially established.

Mr. Elliot informed the Trustees that it had never been their practice to survey lands adjoining privately owned property unless such private owners paid their proportionate part of the survey.

Motion was made, seconded and adopted, that the Trustees decline to grant request of Istokpoga Consolidated Sub-Drainage District.

---

Motion was made, seconded and adopted to decline offer of \$1,500 from L. E. Goetz to purchase Conch Key in Monroe County, containing approximately four (4) acres and located at the west end of Long Key Viaduct.

---

Mr. Bayless submitted application from B. C. Achemire, offering twenty-five cents an acre annually for five year grazing lease on Tract 29, Section 26, Township 50 South, Range 41 East, Newman's Survey of Broward County—14½ acres.

Motion was made, seconded and adopted, that Mr. Achemire be granted grazing lease for a period of one year on the tract applied for upon payment of twenty-five cents an acre.

---

Upon suggestion of Commissioner Mayo, motion was made, seconded and adopted, that hereafter all leases covering a period of more than one year, except where the land is placed under Federal Soil Conservation program, shall be made subject to the Trustees' right of sale during term of the lease.

---

Application was presented from A. C. Frizzell, Immokalee, offering \$1,200 for the timber on Section 7, Township 46 South, Range 31 East, Hendry County. Also offer of \$3,200 from R. N. Miller, LaBelle, for the purchase of Section 7.

Motion was made, seconded and adopted, to defer action on the offers from Messrs. Frizzell and Miller, pending examination and report by Mr. Savage, Field Agent.

Mr. Bayless submitted application from Thad Whidden with offer of \$125 each for Lots 39 "A" and 40 "A", as per Supplemental Plat of Section 18, Township 42 South, Range 37 East, containing approximately one-half acre in Palm Beach County, located between the Meander Line and the 17 foot Contour of Lake Okeechobee.

Upon motion, seconded and adopted, the Trustees agreed to accept \$125 each for the lots applied for by Mr. Whidden.

---

Application was presented from George A. Chalker, West Palm Beach, offering \$20 an acre for Lot 3, in Hiatus between Ranges 36 and 37 East of Township 44 South, Palm Beach County, containing approximately 156 acres.

Motion was made, seconded and adopted, that the offer of \$20 an acre from Mr. Chalker be declined.

---

The Trustees deferred action on application from A. R. Richardson, Tallahassee, to purchase or lease spoil banks in Biscayne Bay adjacent to lands owned by his clients.

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Mr. Bayless submitted application from Cassels & Trinkle, Plant City, on behalf of client A. A. Ellis, for release of canal reservations contained in tax deed issued by the Trustees January 20, 1920 to Ida E. Nelson, conveying Lots 1, 2, 3, 4, 5, of Watts S/D of a portion of E $\frac{1}{2}$  of W $\frac{1}{2}$  of Section 32, Township 43 South, Range 37 East, Palm Beach County.

Motion was made, seconded and adopted, that the Trustees release Canal reservations as requested by Cassels & Trinkle upon payment of \$10.

Application was submitted from Willard Utley for release of Canal reservations contained in Trustees Tax deed issued January 28, 1931 to Paddock & Motter, Inc., conveying the N $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 36, Township 43 South, Range 42 East, Palm Beach County.

Motion was made, seconded and adopted that canal reservations be released on the lands described in Mr. Utley's application upon payment of \$10.

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The Land Clerk informed the Trustees that the General Land Office, Washington, D. C., has advised Governor Cone that Lot 2, Section 4, Township 4 North, Range 24 East, Nassau County, patented to the State May 5, 1857, under the Swamp Land Grant Act, was applied for June 16, 1852 by Samuel Walker, was approved by the Department and was pending at the time of patent to the State. The Department ruled in favor of Mr. Walker and now requests that the State reconvey to the Federal Government any title or interest they might have in said Lot 2, and the State will then receive Swamp Indemnity for such loss.

Upon motion, seconded and adopted, it was agreed that the Trustees reconvey to the Federal Government whatever title or interest the State has in Lot 2 of Section 4, Township 4 North, Range 24 East—40.35 acres in Nassau County, in lieu of which the State will receive Swamp Indemnity.

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Report was presented from S. S. Savage, giving notice of trespass on the SW $\frac{1}{4}$  of Section 28, Township 11 South,



Range 17 East, Levy County, which trespass amounted to 16,090 feet of timber. Information was furnished that Fred Grismore of Archer, representing T. T. Scott of Live Oak, had cut the timber through error and Mr. Scott is ready to pay whatever amount the Trustees require.

Upon discussion, motion was made, seconded and adopted, that the Trustees set a price of \$125 for trespass on State land in Levy County, and the Land Clerk was directed to advise Mr. Scott.

Mr. Bayless presented for the approval of the Trustees Plat showing location of land applied for by settlers at Ritta, in Section 34, Township 43 South, Range 35 East, Palm Beach County.

Motion was made, seconded and carried, that the Trustees officially adopt the Plat of Section 34, Township 43 South, Range 35 East, Palm Beach County, and directed that such plat be filed for record with the Clerk of the Circuit Court of that County.

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Application was presented from G. G. Albritton, DeSoto City, offering twenty-five Cents (25c) an acre for five year grazing lease on Lot 1, Section 13, Township 35 South, Range 30 East, Highlands County, containing 37.48 acres.

Upon motion, seconded and adopted, the Trustees declined to lease the land for a period of five years, but agreed to grant one year lease on the Lot applied for upon payment of twenty-five cents an acre.

Motion was made, seconded and adopted, to decline offer of \$200 an acre from J. U. Bethel, St. Petersburg, on behalf of clients Cyrus F. Mackey and wife, for the purchase of six and one-half ( $6\frac{1}{2}$ ) acres of submerged land owned by the State adjacent to upland property of the Mackey's in Section 24, Township 31 South, Range 15 East, Pinellas County.

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Information was submitted by the Land Clerk that Burns Lumber Company, Williston, through error cut timber on land owned by the State in Levy County, described as the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 29; W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 30, Township 11 South, Range 17 East; that an agent of the Company had called at the Land Office offering to make payment for the timber cut, estimated at 66,745 feet.

Upon motion, seconded and adopted, the Trustees agreed on a price of \$525 in settlement for the timber cut by Burns Lumber Company from State land in Levy County.

Report was submitted from W. B. Whiddon, Sheriff of Levy County, of trespass on the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 2, Township 12 South, Range 17 East, Levy County. Statement was made that the timber has been felled but not removed from the premises and the Sheriff desires authority to have estimate made of the timber and require payment of amount due the State.

Motion was made, seconded and adopted, that the matter be referred to Mr. Savage, Field Agent.

---

Motion was made, seconded and adopted, that Grazing Lease No. 18448 in favor of W. M. Tobias, Moore Haven, be renewed for a period of one (1) year upon payment of thirty-five cents (35c) an acre, the land being described as seventy-seven acres in Section 2, Township 42 South, Range 32 East, Glades County.

The Land Clerk was requested to prepare renewal lease for one year covering the land described.

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On May 30th, Mr. Hal Y. Maines, Lake Butler, on behalf of Willie Croft, submitted offer for \$50 for deed from the Trustees conveying forty (40) acres of land in Union County, described as the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 34, Township 4 South, Range 19 East. Statement was made that Mr. Croft purchased tax certificates on this land for the years 1926-1927 and 1928 and secured tax deed from the Clerk of the Circuit Court, but has since learned that this was vacant land, title to which was in the State of Florida.

Upon consideration of the application and the statements made, motion was offered, seconded and adopted, that the State sell its interest in the land applied for to Mr. Croft upon payment of \$100 cash.

---

Offer of \$7.50 an acre was presented from G. J. Grinstead, Branford, for the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 2, Township 7 South, Range 14 East, Suwannee County, containing forty (40) acres.

Mr. Bayless submitted report from Mr. Savage, appraising the land at \$300 and the timber at \$118.80.

Motion was made, seconded and adopted, that the Trustees accept \$420 for the land applied for by Mr. Grinstead.

---

Application was submitted from J. M. Griffin, Vilas, for right-of-way 100 feet wide through land owned by

the State in Section 11, Township 44 South, Range 36 East, Palm Beach County, extending from the highway to the Old State Dike, approximately one acre.

Mr. Bayless informed the Trustees that Mr. Griffin purchased land from the State in 1934 and has been using the Government Levee as a roadway until recently, but it is now necessary to provide a different outlet and he desires to purchase a strip for a road.

Upon discussion, motion was made, seconded and adopted that the Trustees agree to sell the 100 foot right-of-way to Mr. Griffin upon payment of \$25.00, the deed to contain reversion clause should the land ever be used for purposes other than a roadway.

The following bills were approved and ordered paid:

M. C. McIntosh, Asst. Atty. General, Tallahassee, Fla. ....	\$ 12.35
W. B. Granger, Belle Glade, Fla. ....	37.70
L. J. Thorp, Sheriff, Everglades, Fla. ....	13.45
D. C. Coleman, Sheriff, Miami, Fla. ....	3.95
Standard Oil Company, Jacksonville, Fla. ....	6.57
The Texas Company, Atlanta, Ga. ....	5.99
American Oil Company, Jacksonville, Fla. ....	17.96
Proctor and Proctor, Tallahassee, Fla. ....	3.60
West Palm Beach Publications, West Palm Beach, Fla. ....	23.00
Burroughs Adding Machine Co., Jacksonville, Fla. ....	7.75
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	.38
Southeastern Telephone Co., Tallahassee, Fla. ....	8.35
Postmaster, Tallahassee, Fla. ....	5.00
	<hr/>
	\$ 146.05

Financial Statement for the month of May 1939, is as follows:

#### FINANCIAL STATEMENT FOR MAY 1939 RECEIPTS

Receipts on account of various land sales .....	\$ 1,866.55
Land sales under Chapter 14717, Acts of 1931 .....	82.66
Quit claim to oil and mineral reservations .....	3.75
Royalties on sand, shell and gravel .....	741.45
Sale of lots .....	187.50
Farm lease .....	1,110.00
Grazing lease .....	373.76

Land sales under Chapter 14572, Acts of 1929 .....	504.50
Canal reservations .....	18.75
Sale of certified copy of minutes .....	1.50
Reimbursement by South Florida Conservancy Dist. Account of overpayment of taxes .....	297.00
Total receipts during month .....	\$ 5,187.42
Balance on hand May 1, 1939 .....	82,857.45
	<u>\$88,044.87</u>
Less disbursements (itemized below) .....	1,838.35
Balance May 31, 1939 .....	<u>\$86,206.52</u>

### RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in banks .....	85,206.52
	<u>\$86,206.52</u>

### BALANCES IN BANKS MAY 31, 1939

The Atlantic National Bank, Jacksonville, Fla. ....	\$ 59,239.62
The Florida National Bank, Jacksonville .....	17,781.36
The Capital City Bank, Tallahassee, Fla. ....	<u>8,185.54</u>
	<u>\$85,206.52</u>

### DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
May 11,	11400	W. B. Granger .....	\$ 32.05
	11401	S. S. Savage .....	160.60
	11402	Proctor & Proctor .....	7.82
	11403	Palm Beach Publishing Co., Inc. ....	9.75
	11404	The Texas Company .....	2.46
	11405	Standard Oil Company .....	1.98
	11406	American Oil Company .....	33.78
	11407	Van Brunt & Yon .....	2.95
	11408	Western Union Telegraph Co. ....	1.83
	11409	Postal Telegraph-Cable Co. ....	1.17
	11410	Southeastern Telephone Co. ....	8.50
24,	11411	F. E. Bayless .....	12.35
	11412	M. C. McIntosh .....	11.75
	11413	Culver Smith .....	15.00
	11414	James A. Ellis Co. ....	22.25
	11415	Capital Office Equipment Co. ....	117.61
	11416	S. S. Savage .....	<u>121.50</u>



31,	11417	F. C. Elliot .....	400.00
	11418	F. E. Bayless .....	275.00
	11419	M. O. Barco .....	175.00
	11420	Jentye Dedge .....	175.00
	11421	H. L. Shearer .....	50.00
	11422	S. S. Savage .....	200.00
Total Disbursements for May, 1939 .....			<u>\$1,838.35</u>

Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
June 27, 1939

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
Nathan Mayo, Commissioner of Agriculture.

The following bills amounting to \$2,743.45 were approved for payment and checks were ordered issued in payment therefor:

F. C. Elliot, Engineer and Secretary—Salary for June .....	\$ 400.00
F. E. Bayless, Land Clerk — Salary for June .....	275.00
M. O. Barco, Clerk-Stenographer — Salary for June .....	175.00
Jentye Dedge, Clerk-Stenographer—Salary for June .....	175.00
H. L. Shearer, Clerk in Land Office—Salary for June .....	50.00
S. S. Savage, Ocala, Fla., Field Agent—Salary for June .....	200.00
F. E. Bayless, Land Clerk—Expense Account .....	19.50
S. S. Savage, Field Agent—Expense Account .....	243.20
Tyrus A. Norwood, Asst. Atty. General—Expense Account .....	35.60
M. C. McIntosh, Asst. Atty. General—Expense Account .....	16.75
Pennsylvania Rubber Company, Jacksonville, Fla. ....	51.16
Geo. O. Butler, C. C. C., West Palm Beach, Fla. ....	2.55

F. A. Currie, West Palm Beach, Fla. ....	15.00
Security Abstract & Insurance Co., West Palm Beach, Fla. ....	147.00
Dade-Commonwealth Title Co., Miami, Fla. ....	63.00
Rose Printing Co., Tallahassee, Fla., Printing Minutes .....	870.00
Capital Office Equipment Co., Tallahassee, Fla. .	1.75
Leon Electric Supply Co., Tallahassee, Fla. ....	1.50
Western Union, Tallahassee, Fla. ....	1.44
	<hr/> \$2,743.45

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
July 11, 1939.

The Trustees of the Internal Improvement Fund met on this day in the office of the Governor, Capitol Building.

Present:

J. M. Lee, Comptroller—Acting Chairman.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

Minutes of meeting of June 6th were read, and upon motion made and adopted were approved.

Request from State Road Department for right of way across Old Tampa Bay for highway which will connect the towns of Tampa and St. Petersburg and Clearwater, which matter had been deferred as to action at meeting of June 6th, was again considered. Mr. Lee stated that he was opposed to the grant for the reason that there are now two roads across the bay leading to these towns, and he does not consider the expenditure of a couple of million dollars by the State to provide an additional road to be necessary.

Mr. Knott expressed himself as being in favor of the grant of right of way.

Mr. Mayo and Judge Gibbs stated they would like fuller information and that it might be well to have a public hearing covering the subject in order that all parties at interest could be heard, to which all agreed and the matter was passed until a future date when the State Road Department might be represented and any other interested parties who desire to be heard. Mr. Elliot was instructed to figure on a date for such a hearing and to inform the State Road Department and the two companies now operating the present bridges across the Bay.

Committee consisting of Messrs. Lee, Knott, Gibbs and Mayo, having been appointed to make recommendations on certain matters, Mr. Elliot submitted their report thereon as follows:

"Tallahassee, Florida,  
June 12, 1939

"Honorable Fred P. Cone,  
Chairman, Trustees of the  
Internal Improvement Fund,  
Capitol Building.

Dear Sir:

Your Committee appointed to examine into certain subjects heretofore presented to the board, recommends as follows:

"With reference to release of Lots from  
Dunedin Syndicate Mortgage No. 17534:

That the Trustees decline the proposals submitted by F. T. Peebles, representing Contract and Investment Company, and that the Trustees revert to their counter proposal of April 4th, agreeing to release to clients of Mr. Peebles 134 Lots in Unit No. 1, Dunedin Isles, containing 34 Acres, upon payment to the Trustees of \$3,541.66, whereupon Contract and Investment Company will quit claim to the State 114 acres, lying directly north of the 34 acres to be released, together with the water bottoms in front of both tracts.

"With reference to Diatomite  
Lease of McGeachy and Jernigan:

That upon payment of all amounts due to date under existing lease, the request for modification of Diatomite lease be granted, in order to assist lessees in making explorations and developing plans for processing and marketing the products arising out of the lease, which modification will consist of re-dating the lease as of the present thereby making all other terms and conditions effective as of the new date.

“With reference to offer of Wayne Thomas to repurchase Hillsborough County Land:

That offer of \$1,000 for approximately 1800 acres of land, being all of Sections 4 and 6, and a part of Sections 5 and 7, all in Township 27 South, Range 21 East, which land came to the Trustees through foreclosure under Chapter 14572, Acts of 1929, be held pending report from the Land Clerk as to whether or not a better price cannot be obtained for this land.

“With reference to application from Pinellas County for two right of ways:

That the Committee recommends granting request for right of ways in, over and across the waters of Tampa Bay in connection with proposed construction of causeway, bridge and tunnel between Pinellas and Manatee Counties; also for right of way on which to construct causeway connecting Mullet Key with the mainland.

“With reference to application from Lakeland-Tampa Industrial Canal, Inc.:

The Committee reports favorably on application of Lakeland-Tampa Industrial Canal, Inc., for right-of-way in connection with construction of a canal from Tampa to Lakeland, together with approval of plans and plat for such work.

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Respectfully submitted,  
J. M. LEE, Chairman.  
GEORGE COUPER GIBBS.  
W. V. KNOTT.”

Judge Gibbs inquired as to correctness of acreage as indicated in report on release of Lots from Dunedin Syndicate Mortgage No. 17534. Mr. Elliot stated that acreage was correct; that if any differences developed, the same would enter into the final disposition of the matter.

It was moved and adopted that report of the Committee as to this item and their recommendations thereon be approved by the Board as a whole and the Secretary was directed to advise Mr. Peebles of action of the Trustees, and that it be made clear to him that in making settlement all litigation now pending in connection with this matter is to be dismissed and entirely closed.

Motion was made and adopted that recommendations as made in report in reference to Diatomite Lease of McGeachy and Jernigan be approved.

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In reference to purchase by Wayne Thomas of Lands in Hillsborough County, it was the opinion of the Trus-



tees that such sale should not be agreed to at the present time, but that the Land Clerk should make an investigation of the property with a view to obtaining a better price, if possible. Judge Gibbs asked that the Committee be continued in respect to this item, which was granted.

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As to application from Pinellas County for two right-of-ways, motion was made and adopted that the same be granted; that a limit be placed of one year on time for beginning the work, and five years be allowed from date of beginning for completion.

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Motion was made and adopted that the Board approve recommendations of committee in reference to application of Lakeland-Tampa Industrial Canal, Inc., for right-of-way, et cetera.

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Mr. Elliot submitted request of George S. Brockway, City Engineer, on behalf of West Palm Beach, for removal of sand from the north spoil bank of the West Palm Beach Canal, from that portion lying between the Dixie Highway and the Seaboard Railway, the removal operations to be accomplished by City labor and City equipment at intermittent periods over a long period of time.

It appeared to the Trustees that no reason existed why permit should not be granted, and upon motion made and adopted, it was so ordered.

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Mr. Elliot stated he had request from Mr. James E. Cotton for issuance of deed by the Trustees conveying to him certain lands of which he is the owner, but for which the Trustees hold Everglades Drainage District tax sale certificate No. 5718, sale of August 6, 1928. Value of Certificate is \$10.88. Mr. Cotton offered \$15.88 for deed.

Motion was made and adopted that deed be issued to Mr. Cotton for the above consideration.

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Upon request of State Road Department, issuance of permit by the Trustees in favor of said department was authorized for dredging in Indian River for hydraulic fill purposes. The area to be dredged lies in the locality of Melbourne and is in addition to those dredging areas granted under date of July 15, 1938, and is made necessary on account of encountering rock in the said areas previously granted. Permit is made subject to consent of the United States to the Road Department.

Mr. Bayless presented request from Richlands, Inc., Pahokee, for extension until Jan. 1, 1940 for payment of \$5,000, representing balance of rent due May, 1939. This lease covers Pelican Bay lands and the annual rental charge is \$10,000. \$5,000 being half of the yearly rental, was paid on June 6, 1939. This is lease No. 18284.

Motion was made and adopted that extension for payment of balance due on above lease be granted.

Mr. Bayless stated that O'Neal Investment Company, Orlando, Florida, on behalf of Orlando Yacht Club, offers \$25.00 for 0.60 of an acre of marginal land on Lake Conway, adjacent to property owned by them, lying between their property line and the waters of said Lake. This land results from the lowering of the waters of the lake and is in front of the yacht club.

Upon discussion, it was agreed that the Trustees would sell to the applicant the above 0.60 of an acre at a price of \$125.00 and the Land Clerk was instructed to advise O'Neal Investment Company in the premises.

There was presented request of Mr. A. R. Richardson, Tallahassee, on behalf of the owners of Government Lots 5 and 6 in Section 19, Tp. 53 South, Rg. 42 East, for lease or purchase of spoil areas in Biscayne Bay lying East of their property. For the purchase of these lands, \$150.00 per acre is offered, and agreement is made that no attempt will be made to develop the area; or, they offer \$10.00 per acre per annum for a 10 year lease on said area with the same restrictions. The owners of the upland property have a development in progress and their desire for controlling the spoil area is to prevent parties from building shacks on the same, which they feel would interfere with their development. About 23 acres are involved.

Motion was made and adopted that the above areas be leased from year to year, and that a lease be granted to Marian D. McCormick and Barbara Danielson at this time for one year only, at the rate of \$10.00 per acre per annum.

Mr. Bayless stated that the Trustees on July 6, 1858, sold fractional Section 34, Twp. 5 South, Range 26 East Duval County, to Daniel Thomas by Entry No. 2495; that the records indicate the total purchase price was paid, but evidence is on file that deed ever issued to said Thomas. William M. Madison, Attorney, Jacksonville, requests the Trustees to issue quitclaim deed so that title to said land can be clarified for his client, Chas. C. McCubbin.

It was the opinion of the Trustees that if the State's records showed that the land had been paid for and the

Trustees no longer had an interest in the land, there appeared no objection to the issuance of quit claim deed, as requested. However, it was suggested that a proper charge should be made for the issuing of deed and amount of \$10.00 was agreed upon.

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Mr. Bayless stated that W. A. Bland, Ft. Lauderdale, had entered into contract with the United States Department of Agriculture to sell them the NW $\frac{1}{4}$  of Section 7, Twp. 44 South, Rg. 37 East, Palm Beach County, to be used in connection with a housing project for migratory farm labor. The Attorneys for the Government have refused to pass on the title because of Trustees' statutory reservations, and Mr. Bland desires release of the same.

Mr. Bayless further said he had received a wire from Wm. Wood, Regional Director, requesting the Trustees to release this reservation, but no offer had been made to pay for such release. The reservation covers canal, Oil and mineral rights. The Government is intending to use this property for public purposes.

Because of the use to which the land is to be put, the Trustees agreed to release the reservations as requested for 50c per acre, being the minimum amount for which releases are granted.

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Offer of J. W. Dawsey, Grand Ridge, was presented as follows for timber to be cut and removed from Lake Ocheesee, Jackson County:

50c per pole for cypress poles, the lengths to be 30 to 40 feet with a 6 inch heart at the top, or

He will pay \$12.00 per M.

He will pay for the Jump Butts for shingles, 50c per M. shingles.

Upon discussion, it was the opinion of the Trustees that the price submitted was too low, and the offer was declined.

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Mr. Bayless submitted offer of Mr. T. W. Conely, Jr., Okeechobee, of 5c per acre per annum for a grazing lease on Sections 3, 10, 15, 20, and 23, and Lot 4 of Section 25, Twp. 37 South, Rg. 33 East, containing 1,519.83 acres in Okeechobee County.

Mr. Bayless said that Mr. Conely had advised he could run an out board motor over these lands, now under water. He already owns or controls the adjacent property on the east side.

The minimum price for which lands have been leased by the Trustees for grazing purposes is 15c per acre per

annum, and they were unwilling to issue lease at a lower rate. Mr. Bayless was instructed to advise Mr. Conely the Trustees would be willing to grant lease at the rate of 15c, but not under that figure.

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Motion was made and adopted that offer of Mr. E. L. Shuler, Okeechobee, be accepted for grazing lease on lake bottom lands in Section 31 of Twp. 37 South, Range 35 East, and Section 6 of Twp. 38 S., Rg. 35 East, containing approximately 330 acres in Okeechobee County at a rate of 15c per acre per annum.

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Offer as made by Mr. John E. Whidden, Okeechobee, of 12c per acre per annum for grazing lease, was declined, but Mr. Bayless was instructed to advise that lease could be procured for 15c per acre per annum. Lands involved are in Section 33, Twp. 37 South, Rg. 35 East, and Section 4 of Twp. 38 South, Rg. 35 East, containing 139 acres in Okeechobee County.

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The Trustees declined to accept offer of L. C. Crisp, Sarasota, of \$120.00 for tract of submerged land located approximately  $\frac{1}{4}$  mile North of Sarasota Point, in the middle of Big Sarasota Pass, in Twp. 36 South, Rg. 17 East, containing approximately 6 acres in Sarasota County.

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The Trustees accepted offer of R. E. Padgett, Okeechobee, of 15c per acre per annum for grazing lease on lands in Sections 1, 12, and 13, Twp. 38 South, Rg. 35 East, lying East of the Levee, containing approximately 400 acres in Okeechobee County.

Discussion was had in reference to proposed sale to Clayton C. Townes of Cleveland, Ohio, of lands deeded to the Trustees of the Internal Improvement Fund for state forest and park purposes as a part of proposed DeSoto State Forest Park.

Under original agreement, the Trustees were to send deeds to the Tropical State Bank of Sebring, Florida, to be delivered to Mr. Townes upon payment of \$10,000, this amount to be deposited to the credit of Highlands Hammock Trust Fund Trustees. The deeds were forwarded to bank as requested.

It is now requested that another letter be written directing the bank to accept from Mr. Townes \$10,000 less a deduction not in excess of \$500.00, said deduction to be based on calculation at rate of \$1.50 per acre for lands included in the deeds that are faulty as to title. The



letter would be written by Mr. Knott and he has stated he is willing to send the letter if it be approved by the Trustees.

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Mr. Bayless said the reason this subject was brought back to the Board was because, when the people were here, nothing was said in regard to deduction from \$10,000.

Mr. Elliot said he thought it was the best thing to do, and would be in accordance with agreement with Mr. Townes and Highlands Hammock Trustees.

Motion was made and adopted that letter be written with the modifications as indicated.

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Mr. Bayless said that the City of Fort Pierce was making application for reclaimed Spoil Area No. 1, Fort Pierce, this area being part of the land applied for by Fort Pierce Financing and Construction Company on which they have withdrawn their application. The Fort Pierce Financing and Construction Company states that their attorneys advise them that they have a clear indefeasible title to all of the land in Spoil Area. No. 1, notwithstanding the attitude and adverse claim of the Trustees. Mr. Bayless said the Company is now in possession of part of this land.

General discussion was had as to existing condition with reference to occupation of state lands by companies and corporations without making payment therefor. Instance of Panama City was cited where the Standard Oil Company occupies, without purchase, lands owned by the State; that the Gulf Oil Company has also constructed and is now occupying buildings, etc. located on state land.

It was the opinion of the Trustees that active steps should be taken to obtain settlement in cases of this kind for state lands so occupied and the Attorney General was requested to go into the matter in connection with the land office.

Matter of trespass by Wilson Cypress Company was recalled and discussed. This trespass occurred about 30 years ago and is still unaccounted for by the Company. Mr. McIntosh, Assistant Attorney General, who is handling this matter, was requested to inform the Trustees as to the status of settlement. He stated that there were two different surveys and it was a question as to who owned the land; that he was taking up the subject with Mr. Walton, Attorney for Wilson Cypress Company.

Mr. Bayless stated that the timber in question was taken from land lying between the Spanish Grant and waters

of the St. Johns River, and the Wilson Cypress Company had bought a quit claim deed to the lands from a party who had no right to make any deed whatsoever, since the lands were state lands. Mr. McIntosh was instructed to proceed with securing a settlement.

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Application for permit from Wilson Cypress Company was presented covering dredging of a canal through Sections 12 and 13, Twp. 16 South, Rg. 28 East, Volusia County. Under the proposed permit, Wilson Cypress Company would pay to the Trustees \$10.00 per M. for any cypress and \$7.00 per M. for any pine, gum, hardwood except cypress, that might be removed by them from the right-of-way. The canal is through a marsh section where very little, if any, timber would be encountered.

Motion was made and adopted that the Trustees grant permit as requested by Wilson Cypress Company.

Request of N. W. Keller, Secretary, South Hastings Drainage District, was presented, for payment of drainage taxes on Trustees' land in that district, being the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 20, Twp. 11 South, Range 28 East, amounting to \$39.24 on 40 acres for 1 year.

The Trustees were of the opinion that the sale of the land would be desirable instead of continuing to pay drainage taxes at the rate of \$1.00 an acre per annum and Mr. Bayless was directed to see what kind of an offer he could get.

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Mr. Bayless stated that the Outdoor Reflector Display Company, Jacksonville, desired to know if the Trustees would be interested in leasing State owned lands in the southern part of Nassau County along the Nassau River on U. S. Highway No. 17 for outdoor displays. Mr. Bayless was directed to write the Company and see what kind of an offer they would make for such a lease.

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Offer of Jerrold F. Jacobs, Lake Worth, was presented for consideration, being \$20.00 per acre for marginal lands on Lake Osborne, Palm Beach County, adjacent to property owned by his client, John A. Markett. About 7.4 acres are involved.

The Trustees declined to accept Mr. Jacobs' offer.

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Application of Mr. O. A. Kanner, Stuart, on behalf of his client, George Wynn, was presented, for partial release of Mortgage No. 17199, involving 25 acres for which

he is willing to pay \$10.00 per acre cash for said partial release.

Motion was made and adopted that Mr. Kanner's offer be accepted.

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Mr. Bayless stated he had prepared a list of sales contracts that were away behind in payments, with data relating to payments made and past due. Each of the Members of the Trustees were furnished with a copy of this list.

Mr. Elliot said that all that was necessary was to inform the grantees that the contracts were cancelled because of their not complying with the terms thereof; that no foreclosure was required; that a RESOLUTION by the Trustees along this line would take care of all delinquent payment contracts. 60 days was suggested as a time limit within which delinquent contracts could be put in good standing.

Motion was made and adopted that Mr. Bayless notify all delinquent purchase contract holders that if their payments were not put on a current basis within a period of 60 days, or cause shown why same could not be put on a current basis, same would be submitted to the Trustees for final action.

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Matter of lease to Guy Winthrop of Tallahassee for grazing purposes was presented. This lease covers an area of approximately 612 acres in Lake Hicpochee and is owned by the Trustees under Everglades Drainage District tax sale certificates. It now develops that the title holder has entered into agreement with the Conservation Agent in that locality to take over the land on a soil conservation basis.

The matter was referred to the Attorney General for determining the proper procedure by the Trustees.

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Mr. Bayless stated that in connection with trespass on the SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; W $\frac{1}{2}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 2, Twp. 12 South, Rg. 17 East, Levy County, reported by the Sheriff, Mr. Savage reports 5,061 feet of timber removed and cut from said land. Mr. Savage further says that the timber was cut by Mr. Fred Griswell who is cutting for Mr. T. T. Scott of Live Oak. Mr. Scott states that he is willing and ready to pay whatever the State requires in connection with this trespass.

Motion was made and adopted that settlement be made with Mr. Scott upon payment of the amount of \$50.

Mr. Elliot stated that it was essential that the Trustees arrive at some decision as to procedure in connection with lands coming to the State under the Murphy Act — Chapter 18296 Acts of 1937. It was agreed to meet in the office of the Comptroller the next morning—July 12th, at 10:00 o'clock, for considering this matter.

Financial statement for the month of June, 1939, is as follows:

### FINANCIAL STATEMENT FOR JUNE, 1939 RECEIPTS

Receipts on account of various land sales .....	\$ 1,256.12
Land sales under Chapter 14717, Acts of 1931 .....	20.00
Proceeds FFMC Coupons (Axel Jensen Entry No. 17839) .....	10.50
Land lease .....	61.50
Farm lease .....	6,877.49
Grazing leases .....	29.87
Royalties on sand, shell and gravel .....	439.08
Quit-claim to reservations in deeds .....	10.00
Quit-claim to canal reservations .....	10.00
Trespass on timber .....	93.75
Sale of rock .....	256.60
Assignment of fee paid defense lawyer in the case of Rorick vs. Board of Commissioners of Everglades Drainage District, et al. ....	20.00
Total receipts during month .....	\$ 9,354.91
Balance on hand June 1, 1939 .....	86,206.52
	<u>\$95,561.43</u>
Less disbursements (itemized below) ..	2,889.50
Balance June 30, 1939 .....	<u>\$92,671.93</u>

### RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	91,671.93
	<u>\$92,671.73</u>

### BALANCES IN BANKS JUNE 30, 1939

The Atlantic National Bank, Jacksonville, Fla. ....	\$65,603.93
The Florida National Bank, Jacksonville, Fla. ....	17,781.36
The Capital City Bank, Tallahassee, Fla. ....	8,286.64
	<u>\$91,671.93</u>



## DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
June 9,	11423	M. C. McIntosh .....	\$ 12.35
	11424	W. B. Granger .....	37.70
	11425	L. J. Thorp .....	13.45
	11426	D. C. Coleman, Sheriff .....	3.95
	11427	Standard Oil Co. ....	6.57
	11428	The Texas Co. ....	5.99
	11429	American Oil Co. ....	17.96
	11430	Proctor & Proctor .....	3.60
	11431	West Palm Beach Publications .....	23.00
	11432	Burroughs Adding Machine Co. ....	7.75
	11433	Postal Telegraph-Cable Co. ....	.38
	11434	Southeastern Telephone Co. ....	8.35
	11435	J. F. Cochran, Postmaster .....	5.00
30,	11436	F. C. Elliot .....	400.00
	11437	F. E. Bayless .....	275.00
	11438	M. O. Barco .....	175.00
	11439	Jentye Dedge .....	175.00
	11440	H. L. Shearer .....	50.00
	11441	S. S. Savage .....	200.00
	11442	F. E. Bayless .....	19.50
	11443	S. S. Savage .....	243.20
	11444	Tyrus A. Norwood .....	35.60
	11445	M. C. McIntosh .....	16.75
	11446	Pennsylvania Rubber Co. ....	51.16
	11447	Geo. O. Butler, C. C. C. ....	2.55
	11448	F. A. Currie .....	15.00
	11449	Security Abstract & Insurance Co. ....	147.00
	11450	Dade Commonwealth Title Co. ....	63.00
	11451	Rose Printing Co. ....	870.00
	11452	Capital Office Equipment Co. ....	1.75
	11453	Leon Electric Supply Co. ....	1.50
	11454	Western Union Telegraph Co. .	1.44
Total disbursements for June, 1939			\$2,889.50

Motion was made and adopted that miscellaneous bills amounting to \$343.23 be approved for payment as follows:  
W. B. Granger, Belle Glade, Fla., Mileage expense \$ 29.60  
Palm Beach Publications, Inc., West Palm Beach,

Fla. ....	16.50
Proctor & Proctor, Tallahassee, Fla. ....	81.17
Standard Oil Company, Jacksonville, Fla. ....	3.21
American Oil Company, Jacksonville, Fla. ....	27.75
Florida State Farm, Raiford, Fla. ....	160.00
Railway Express Agency, Tallahassee, Fla. ....	.30
Western Union, Tallahassee, Fla. ....	8.76

Postal Telegraph-Cable Co., Tallahassee, Fla. ....	1.79
Southeastern Telephone Co., Tallahassee, Fla. ....	14.15
	<u>\$343.23</u>

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
July 12, 1939

The Trustees of the Internal Improvement Fund met on this day in the office of the Comptroller, Capitol Building.

Present:

J. M. Lee, Comptroller—Acting Chairman.  
W. V. Knott, State Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
Elgin Bayless, Land Clerk.  
Ray Neal, Tax Man in Comptroller's Office.

#### WITH REFERENCE TO LANDS UNDER CHAPTER 18296 — MURPHY ACT

The purpose of this meeting was for general discussion of administration of lands vesting in the Trustees under Chapter 18296, generally known as the "MURPHY ACT."

Judge Gibbs stated this was a matter that he and five of his assistants had gone into extensively, together with Mr. Neal of the Comptroller's Office and Mr. Elliot; that several memorandums had been prepared by Mr. Elliot, which were discussed and some changes made; that these lands are now free of all liens and claims of the original owner; that two opinions have been prepared and sent out from the Attorney General's Office, one stating the lands covered by Section 9, Chapter 18296, have vested in the State of Florida, the other giving consideration to the provisions of the Futch Act and amendment thereto.

The object of Chapter 18296, as well as that of the Futch Act, is to place lands back on the tax roll. In arriving at a definite policy for administering these lands, this should be borne in mind.

Mr. Elliot read from memorandum prepared by him the participation which would seem required by the Clerks of the Circuit Courts, since the tax certificates are held by them and on file in their offices. Chapters of the law as follows were discussed as having bearing on administration of these lands:

Chapter 16252, known as the FUTCH ACT

Chapter 17400, amending the FUTCH ACT

Chapter 18296, known as the MURPHY ACT.

Mr. Lee said the first thing to do was to get a definite separation of the certificates covered by the Murphy Act, which would come to the State from certificates that are still subject to redemption and sale by the Clerk of the Circuit Court; that such separation should be definite enough that there would be no danger of the Clerks selling something they should not, and accepting money therefor, thus mixing the funds and having to make refunds and adjustments.

Mr. Neal stated that under the system used by the Clerks of the Circuit Courts in filing tax certificates in their records, they are already separated and there should be no complication or mixing; that certificates are filed by years and all certificates issued up to and including the year 1934 would go into the ownership of the Trustees, while certificates for the year 1935 and subsequent years would be subject to disposition by the Clerks of the Circuit Courts as heretofore.

It was unanimously agreed that the first step would be to procure from the Clerks of the Circuit Courts certified copies of lists prepared by them to cover the certificate number, description of property and other data that might be considered necessary to include, a copy of such lists to be furnished to the Comptroller and one to the tax assessor. It was considered that a permanent record should be kept in the offices of the Clerks for abstract purposes, et cetera. Mr. Neal said that such record is now on file and is used by abstract men in preparing abstracts, all of which results from the manner in which the records are kept. Mr. Lee said that an abstract man will examine into the legality of a tax certificate before recommending purchase by a client, and this item of the Clerk's record should be complete.

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Matter of advertising requirements was discussed. Mr. Knott suggested that notice in a newspaper be given that on and after a certain date any lands held by the Trustees of the Internal Improvement Fund under this Act would be for sale.

Judge Gibbs said he believed this would not be sufficient notice. That notice might be posted in the office of the Clerks of the Courts; that matter of keeping down the costs was of first consideration; but that if improper notice is given, the sale is not legal.

Mr. Elliot stated that because of the wide range of discretionary authority allowed the Trustees under the Murphy Act, the Trustees were permitted to give such notice as they might agree upon. He asked if they were in general agreement that a general advertisement that all lands subject to sale under the Murphy Act was the first step in the way of advertisement. This seemed to be generally approved, together with posting of this general advertisement at the Courthouse of each county. In addition, it was suggested that when application to sell a specific parcel is received by the Trustees, notice of this application and intent to the Trustees to sell be posted in the court house of the county in which the lands are located, and also that a notice of such application be forwarded to the original owner, if his name and whereabouts could be determined, in order that his property be not sold without giving him opportunity to bid thereon.

Mr. Neal suggested that when application be made for purchase, the Trustees require the applicant to also submit result of a search of the records by the Clerk of the Court in order that the Trustees might have full information as to taxes, liens, et cetera, in connection with the parcel proposed to be purchased, clerk to be paid for the search by applicant.

It was suggested that the Clerk of the Court could furnish name of present owner or person last paying taxes when he furnished the list of certificates.

Mr. Mayo inquired as to price to be accepted by the Trustees; whether they must accept an offer regardless of the smallness of the offer, and the value of the property. He was advised that the Trustees would pass on each application individually and would not sell if the price was not satisfactory.

Mr. Elliot stated that the preparation of lists would probably cover a considerable period of time in some counties because of the great number to be listed. Judge Gibbs asked if it would not be possible to proceed with individual sales prior to time of receiving completed lists. Mr. Neal said that under the segregation of certificates as filed in the Clerk's offices, it seemed to him there would be no need for awaiting completing of lists; that the Trustees could get information in full relating to the individual certificates with no trouble whatsoever. Desirability



of the Trustees having certified copies of lists of certificates, before proceeding with sales of the lands was discussed.

Mr. Mayo said it might be advisable to have an agent of the Trustees in each county to handle the matter of sales and to interest the people in making purchases. However, that opportunity should not be given to land agents to use these lands as the basis of speculative land selling; that the owner of the land should have first consideration. He expressed it as his belief that there would be a great many homes among the lands coming to the state.

Mr. Lee said he thought the Trustees' policy should be developed as they proceeded with the administering of the lands; that the first thing was to get the lists of lands and find out what they had, and the next step could then be decided upon.

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Upon further discussion, it was thought that it might be possible to permit land sales to proceed pending completion of lists by the Clerks of the Court.

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Discussion was had as to form on which lists should be made by the Clerk of the Court. It was thought that a uniform paper and form was essential and suggestion was made that the Trustees should have the forms printed and furnish the same to the Clerks of the Courts. Mr. Elliot was instructed to prepare jointly with Mr. Neal a form which they considered might meet with the needs of the Trustees as to data to be supplied.

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Matter of test suit was discussed. Judge Gibbs stated that the law gives the land to the Trustees; that there was no reason to bring up the matter of a test suit and so bring upon the Trustees litigation and trouble.

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It was agreed that certificates that came under the Futch Act and amendment thereto should be segregated and not delivered to the Trustees. Under this Act and Amendment, additional period of 15 years is allowed for redemption of old certificates where five years current taxes are paid, as indicated in such Act and amendment.

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As to cancellation of certain certificates, requests for which have come in to the Comptroller and to the Trustees, these are to be disposed of in such a manner as the status of the lands covered thereby indicate. Some will be cancelled by the Comptroller and perhaps some by the

Trustees. Mr. Lee told Mr. Neal to let no cancelled certificates go out without first taking them up with him.

Mr. Elliot inquired as to status of lands on which there are outstanding tax sale certificates, which are now covered by the homestead exemption. It was stated that the homestead exemption took effect as of January 1, 1935, and was not retroactive; that prior unpaid taxes were required to be paid just the same as if the homestead exemption law did not exist.

Mr. Lee stated that he believed it would be necessary for the Clerks of the Courts to clear their records and make transfer of such records from themselves as Clerks of the Courts to such parties as the Trustees might indicate, to themselves if the Trustees decided to use them as agents of the Trustees in connection with this work, but that their present bond as Clerk of the Court would not suffice, et cetera.

It was considered that these questions would be settled when the Trustees had made further advancement in establishing their policy of administering the Murphy Act lands.

Meeting adjourned, to take up further discussion at some future time when additional steps would be decided upon.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
July 25, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

President:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees for July 11th, 1939 read and approved.

Mr. Elliot presented requests for exchange of certain land owned by the State in Sarasota County: Exchange of lands referred to in the minutes of the Trustees dated November 9, 1938, was presented together with request for exchange of additional land carrying out in general the purposes outlined in the minutes cited. The exchange involves lands owned by the Trustees of the Internal Improvement Fund, the Vanderipe Estate, Maryland Land & Transportation Company, the County of Sarasota and R. M. Cantey. The proposal is for blocking up the holdings of the several owners and for acquiring by exchange certain desirable lands within the exterior boundaries of Myakka River State Park, but not now owned by the Trustees. That part of the exchange involving the Trustees of the Internal Improvement Fund is as follows:

The Trustees exchange 320 acres, being the  $N\frac{1}{2}$  of Section 19, Township 37 South, Range 20 East; 120 acres, being the  $SE\frac{1}{4}$  of  $NE\frac{1}{4}$  of Section 19, and  $S\frac{1}{2}$  of  $SE\frac{1}{4}$  of Section 20, of Township 36 South, Range 20 East, and 160 acres, being the  $N\frac{1}{2}$  of the  $SE\frac{1}{4}$ , the  $NE\frac{1}{4}$  of  $SW\frac{1}{4}$  and  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$  of Section 20, Township 36 South, Range 20 East, representing a total of 600 acres,

for

80 acres, being a triangular parcel bordering Myakka River in the  $N\frac{1}{2}$  of Section 21, Township 37 South, Range 20 East, and 151 acres in Section 16, Township 37 South, Range 19 East, lying north of State Road No. 220, except the  $N\frac{1}{2}$  of  $NE\frac{1}{4}$  and that part of the  $NW\frac{1}{4}$  of  $SE\frac{1}{4}$  north of the road, representing a total of 231 acres.

The Trustees hold mortgage on the  $SE\frac{1}{4}$  of  $NE\frac{1}{4}$  of Section 19, Township 36 South, Range 20 East, the record title holder being R. M. Cantey. Mr. Cantey offers to re-deed the land to the Trustees of the Internal Improvement Fund to be used by the Trustees in the above exchange.

The Trustees authorized the exchange of this forty (40) acres, provided the deed is accompanied by abstract showing clear title.

The other exchanges do not involve the Trustees, except in that it enables other parties to make exchanges of such parcels as were selected by the Trustees and which the Trustees are to receive.

Motion was made, seconded and adopted that the exchanges outlined be consummated upon approval by the Attorney General of title to land coming to the State.

Mr. Elliot reported that Florida Power Corporation is building a service line in Pinellas County, designated as "St. Petersburg-Tarpon Springs, KV 66, Wood Pole Line", and certain sections of the line cross land title to which has passed to the State under Chapter 18296, Acts of 1937, known as the "Murphy Act." Mr. R. Jerome Thompson, representing Florida Power Corporation, has requested that the Trustees allow the line to be run across lands in Section 19, Township 29 South, Range 16 East, and in Sections 15, 16 and 27, Township 30 South, Range 16 East, Pinellas County, as indicated on plats furnished. For such right-of-way an offer of \$100 is tendered.

The Trustees not being ready to make disposition of lands coming to the State under the Murphy Act, motion was made, seconded and adopted, that the Trustees interpose no objection to construction of the proposed power line across lands indicated on sketches, provided Florida Power Corporation will meet conditions which will be imposed in connection with administration of such lands. Offer of \$100 for right-of-way was held for further consideration. All members present voted affirmatively for the motion, except Comptroller Lee whose vote was negative.

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Pursuant to recommendations of the Committee which were approved by the Trustees at the meeting July 11, 1939, the Attorney General submitted for signatures partial release of Mortgage No. 17534 of Dunedin Syndicate, Inc., which was the consummation of proposal outlined in minutes of the 11th. Release was approved and ordered executed.

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Mr. Bayless presented offer from A. T. Uzzell, Moore Haven of \$100 cash for approximately 4½ acres of marginal lake bottom lands in Section 9, Township 41 South, Range 32 East, Glades County. The land lies behind the Government Levee between Moore Haven and Lakeport and is used by Mr. Uzzell for an Apiary.

Upon motion, seconded and adopted, the Trustees agreed to accept \$25 an acre for the land applied for by Mr. Uzzell.

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Application was submitted from Howard Wise, Okeechobee, offering \$225 for approximately 30 acres of lake bottom land in Section 36, Township 37 South, Range 35 East, Okeechobee County. His statement was that the



land lies between his property and the waters of Lake Okeechobee and that he desires it for grazing purposes.

Motion was made, seconded and adopted, that the Trustees decline offer from Mr. Wise for the land applied for.

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Motion was made, seconded and adopted that the Trustees accept offer of twenty-five cents (25c) an acre from Rudy Ashton of Lorida, Florida, fore one year grazing lease on 145 acres of land in Section 12, Township 35 South, Range 30 East, Highlands County, located north of Lake Istokpoga.

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July 11th the Trustees authorized one year grazing lease to T. W. Conely on terms of twenty-five cents (25c) an acre. Mr. Conely now asks that he be given a five-year lease based on payments of ten cents an acre annually for the first two years; fifteen cents an acre for the third year; twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year.

Upon consideration of Mr. Conely's request, motion was made, seconded and adopted that the Trustees agree to five-year grazing lease on Sections 3, 10, 15, 20, 23, and Lot 4 of Section 25, Township 37 South, Range 33 East—1519.83 acres in Okeechobee County—upon payment of fifteen cents an acre annually for the first three years, twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year.

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Mr. Bayless reported that Contract No. 18291 with Bertha L. Bass (Starling) is delinquent in payments for more than a year and Mrs. Starling has agreed to quit claim any right she may have under the contract, which will eliminate cancellation proceedings by the Trustees. Her son, Lloyd Bass, who has been farming the land for her, desires to rent the tract for the next farming season but is not in position to pay the customary half cash required by the Trustees; however, he agrees to pay \$1250 January 1, 1940 and \$1250 March 1, 1940.

In consideration of Mrs. Bass Starling agreeing to quit claim any interest she may have in Contract No. 18291, motion was made, seconded and adopted, that Lloyd Bass be given lease for the coming farming season on land covered by said Contract providing for payment of \$1250 January 1, 1940 and \$1250 March 1, 1940.

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Mr. Bayless submitted request from Martin F. Burket, who has timber lease on Chipola River and Dead Lakes,

that the State have the Meander of the Lake surveyed and blazed in order that he may know the exact area from which to remove logs, and agrees to furnish two men without cost to the Trustees to assist in the survey. Statement was made that Sheriffs of Calhoun and Gulf Counties recommend that this survey be made so that the State's interest can be protected.

Motion was made, seconded and adopted, that the survey be made and that Mr. Mayo be authorized to employ a competent engineer to do the work.

Application was presented from Don Oliver, Leesburg, for lease to remove deadhead and standing timber—Pine, Cypress and Gum—from the waters of Apalachicola River and its tributary lakes and creeks, except the Dead Lakes, and offers the following for such lease:

Pine	\$5 per M
Cypress	\$6 per M
Gum	\$2 per M

Bond in the sum of \$1,000 to be furnished the Trustees and remittances for timber to be made on or before the 10th of each month.

Motion was made, seconded and adopted, that the Trustees accept offer from Mr. Oliver for timber lease on the territory described; such lease to be for a period of one year allowing removal of deadhead timber only. Lease is authorized conditions upon Bond in amount of \$1,000 being furnished and the employment of Mr. Oliver of O. L. Maddox for scaling all logs taken from the territory under lease.

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Mr. Bayless informed the Trustees that on May 13, 1902, according to statement submitted, J. H. Sauls of Callahan, received special warranty deed from R. T. and M. C. Wilson conveying Lot 1, Section 13, Township 2 North, Range 23 East—25.80 acres in Nassau County—and has paid taxes on the lot since that time. It has recently been brought to his attention that the land is owned by the State and he submits an offer of \$3 an acre for the Lot. The Tax Assessor of Nassau County advises that \$3 an acre is all the land is worth.

Upon motion, seconded and adopted, the Trustee agreed to accept \$3 an acre for Lot 1, Section 13, Township 2 North, Range 25 East, Nassau County, in view of the fact that Mr. Sauls has been paying taxes on the land since 1902 based on deed from R. T. and M. C. Wilson.

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The Land Clerk presented letter from John D. Pannill, on behalf of North Shore Corporation, Jacksonville.

requesting that the Trustees remove a squatter from State land north of St. Johns River Jetty. It was represented that this party is undesirable and his occupancy of the State land is detrimental to adjoining property.

Motion was made, seconded and adopted, that Mr. Bayless be authorized to take the necessary steps to have the squatter ejected from State land referred to by Mr. Pannill.

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Mr. Bayless reported that he has copy of Bill of Complaint in which Robert H. Cook, Receiver for Eagle Bay Drainage District, is seeking to foreclose tax liens covering land on which the Trustees hold mortgages. Liens, taxes and penalties amount to approximately \$100 an acre and the land in which the Trustees have an interest sold for \$30 and \$50 an acre in 1926. Part of the original sale of 2743 acres has been released but a portion is still under the mortgage.

Motion was made, seconded and adopted that the matter be referred to the Attorney General for determination as to validity of the liens against the lands.

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Request was presented from Stafford H. Caldwell, on behalf of client, for release of statutory reservations in deed from the Trustees conveying 3040 acres of land in Township 54 South, Range 37 East, Dade County, for which release an offer of five cents an acre was made.

Upon motion duly adopted, the Trustees declined to release reservations requested by Mr. Caldwell at the price offered.

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Mr. Bayless informed the Trustees that with reference to action taken July 11th, he was in error in statement that the maximum deduction in price of Highlands County lands sold to Clayton C. Townes (see Minutes of May 23, 1939) would be \$500; that the contract calls for minimum deduction of \$500 but not greater than \$1.50 an acre on all lands title to which is found to be defective.

Motion was made, seconded and adopted, that the matter be held in abeyance until purchaser has time to examine all abstracts and records and determine the number of acres with defective title, at which time final action will be taken by the Trustees.

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The following bills amounting to \$1,407.20 were approved and checks ordered issued in payment therefor:

F. C. Elliot, Engineer and Secretary—Salary for

July .....	\$ 400.00
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F. E. Bayless, Land Clerk—Salary for July .....	275.00
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M. O. Barco, Clerk-Stenographer — Salary for July .....	175.00
Jentye Dedge, Clerk-Stenographer—Salary for July .....	175.00
H. L. Shearer, Clerk in Land Office—Salary for July .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—Salary for July .....	200.00
S. S. Savage, Field Agent, Ocala, Fla.—Expense Account .....	105.05
M. C. McIntosh, Asst. Atty. General, Expense Account .....	3.25
E. B. Leatherman, C. C. C., Miami, Fla.—Filing Fee .....	10.00
Ray E. Green, C. C. C., Clearwater, Fla.—Filing Fee .....	10.00
F. E. Bayless, Land Clerk—Expense Account .....	3.90
	<hr/> \$1,407.20

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
July 26, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

#### REFERENCE TO LANDS UNDER CHAPTER 18296

Mr. Elliot reported that a suit had been brought to restrain Haines City from foreclosing on city tax liens account of unpaid city taxes, based on the reasoning that title to these lands had vested in the State under the Murphy Act, being Chapter 18296, Acts of 1937. It was



suggested that under existing circumstances, the Trustees might have to be made a party to the suit.

Motion was made, seconded and adopted, that the handling of this matter be turned over to the Attorney General for such action as might be necessary from the legal standpoint.

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#### TRUSTEES I. I. FUND MATTERS PROPER

Mr. Mayo requested that the Trustees authorize payment of \$60 a month each to Mrs. O. W. Sheldon and Mrs. C. W. McDonald, as salary for indexing records in the Land Office for the Trustees Internal Improvement Fund. It was estimated that it would take two or three months to complete the work which had been started under a WPA project but discontinued.

Motion was made, seconded and adopted, that the salaries of Mrs. Sheldon and Mrs. McDonald at the rate of \$60 a month be paid until the indexing work is completed, or until such time as resumed under the WPA.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
August 15, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

Minutes of the Trustees for July 12th, 25th and 26th, 1939 presented and approved.

Mr. R. H. Sumner, Jr., came before the Trustees with reference to Entry No. 17460 dated January 15, 1926, covering sale of land in Boca Ceiga Bay, Pinellas County, to Gilbert Hunt and R. H. Sumner, Jr., and submitted proposal for clearing up the mortgage and the tax deed outstanding against the land.

Upon discussion, motion was made seconded, and carried that the following Resolution be adopted:

#### RESOLUTION

WHEREAS, on January 15, 1926, by Deed No. 17460, the Trustees of the Internal Improvement Fund of the State of Florida conveyed to Gilbert D. Hunt and R. H. Sumner, Jr., 212.06 acres of submerged lands in Township 32 South, Range 16 East, Pinellas County, Florida; and

WHEREAS, on the same date, to-wit: January 15, 1926, the said Gilbert D. Hunt and Marion W. Hunt, his wife, and R. H. Sumner, Jr., executed a mortgage to the Trustees of the Internal Improvement Fund of the State of Florida covering the balance of three-fourths ( $\frac{3}{4}$ ) of of the purchase price of said lands, said balance being \$31,809.00 after payment of \$10,603; and

WHEREAS, on September 10, 1935, Walter Collany secured a tax deed affecting said property, or parts of said property; and

WHEREAS, R. H. Sumner, Jr., title-holder of an undivided interest in said property, appeared before the Board on this date and proposed to bring proceedings to cancel said tax deed held by Walter Collany as to all of the lands covered by said mortgage and to pay the cost thereof, and also proposed to pay all of the costs of mortgage foreclosure proceedings on condition that after said suits have been completed and title shall re-invest in the said Trustees, the Trustees of the Internal Improvement Fund will convey to the said R. H. Sumner, Jr., or such person or persons as he may designate, one-fourth ( $\frac{1}{4}$ ) of the said premises to be agreed upon by the Trustees of the Internal Improvement Fund and the said R. H. Sumner, Jr., as to location; the said one-fourth ( $\frac{1}{4}$ ) of the premises so to be conveyed to extend in a northerly and southerly direction. It being understood that the Trustees of the Internal Improvement Fund at the sale upon mortgage foreclosure proceedings will bid up to the total amount due said Trustees under said mortgage, together with interest thereon and costs, but shall not be required to bid more than such principal, interest and costs; now, therefore

BE IT RESOLVED that the said proposition of R. H. Sumner, Jr., be accepted with the understanding that suit to cancel said tax deed be brought immediately and before the expiration of the four year period on September 10, 1939, and that the office of the Attorney General be kept advised of all legal proceedings and furnished with copies of such proceedings.

IT IS FURTHER RESOLVED that the abstract to title to said lands secured by the Trustees of the Internal Improvement Fund be loaned to Counsel for R. H. Sumner, Jr., for use in bringing proceedings for cancellation of the said tax deed.

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On July 25th the Trustees referred to the Attorney General for opinion the question of legality of tax liens against lands in Eagle Bay Sub-Drainage District covered by State mortgage, notice having been received that the District is seeking to foreclose such liens.

The Attorney General submitted memorandum, prepared by Assistant Attorney General M. C. McIntosh, of examination of available records of the district as to organization, assessment of tax liens, issuance of bonds and appointment by the U. S. District Court of Robert H. Cook as Receiver for such District.

The Trustees having been informed at the July 25th meeting that the tax liens against the lands covered by State mortgage were in excess of the price for which the land was sold and considerably more than it is worth at present, motion was made, seconded and adopted, that the Trustees do not file an answer to the Bill of Complaint of Robert H. Cook, Receiver for Eagle Bay Sub-Drainage District, and that no further action be taken in the case.

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Application was submitted from the State Road Department for perpetual easement granting right-of-way 200 feet wide through and across the St. Johns River and submerged areas from the South end of Main Street in Jacksonville to the North end of Gibson Street in South Jacksonville, such right-of-way being desired in connection with the construction of a bridge across the River.

Motion was made, seconded and adopted, that the Trustees grant the right-of-way requested by the State Road Department across the St. Johns River and easements were ordered and executed covering the area requested designated as SRD No. 7 — Project 248-A, State Road No. 3.

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Mr. Elliot reported that with reference to action of the Trustees July 11th, on application from the State Road Department for right of way across Old Tampa Bay, and the decision that a public hearing be held by the Trustees on the question of granting right-of-way, the State Road Department requests that the Trustees withhold the fixing of a date for such hearing until the Road Department is advised by the War Department whether or not a War Department permit will be issued in which

authority will be granted to the State Road Department for the construction of a bridge in so far as navigation rights are concerned.

It was agreeable with the Trustees that the proposed hearing be delayed pending action on application to the War Department for permit requested by the State Road Department.

Request was submitted from the State Road Department for partial release of Mortgage No. 17543 dated March 17, 1926, from W. B. and Ethel J. Harvard to the Trustees covering the purchase of land in Section 32, Township 39 South, Range 21 East, Sarasota County. Information was furnished that the Road Department desires a right-of-way through this land for road purposes and has secured conveyance from the Harvards covering the strip applied for.

It was the decision of the Trustees that the release from the Harvard Mortgage as requested by the Road Department be not granted as the mortgage is in process of foreclosure, and that the action of the Trustees under date of November 24, 1937, interposing no objection to occupancy by the Road Department of the right-of-way requested, remain in effect until such time as foreclosure is concluded.

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Request was presented from the U. S. Park Service, Tallahassee, for permit to use a tract of land in Dade County, being the SE $\frac{1}{4}$  of Section 9, Township 58 South, Range 37 East, on which to construct temporary camp buildings, drill a well, erect a water tower, tank and pump house, and other things necessary in connection with the work camp. It was represented that a unit of the Civilian Conservation Corps is to be located in that area for the purpose of improving Cape Sable Road into Monroe County and for other work and improvements by the Bureau of Entomology and Plant Quarantine.

Upon motion seconded and duly adopted, the Trustees agreed to issue permit for a period of three years, granting authority to the U. S. Bureau of Entomology and Plant Quarantine to use the SE $\frac{1}{4}$  of Section 9, Township 58 South, Range 37 East, Dade County, as a site for a work camp in connection with proposed improvements to Cape Sable Road into Monroe County, and for other improvements.

The Secretary was requested to prepare such permit for execution by the Trustees.

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Letter was presented from Gedney, Johnston & Lilienthal, Attorneys of West Palm Beach, requesting for their



client, James A. Ball, Jr., the abstract used by the Trustees in a recent foreclosure suit against D. S. Spooner, et al., Mr. Ball having purchased the land at such foreclosure.

Upon evidence from the Attorney General's Office that the cost of abstract was included in the sum paid by Mr. Ball, the Trustees directed that the abstract requested be sent to purchaser of the land.

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#### REFERENCE TO LANDS UNDER CHAPTER 18296 — MURPHY ACT

Mr. Elliot presented requests from several Cities with reference to clearing title to land coming under Section 9, Chapter 18296 — the Murphy Act — and reported that numerous other requests were being received with reference to policy of sale under this Act. That it would be desirable for some action to be taken as soon as possible.

In view of litigation now pending in reference to the title of lands presumed to have vested in the State under Section 9 of the Murphy Act, and especially in view of an opinion from a Judge of one of the Circuit Courts of the State to the effect that Section 9 of Chapter 18296 will not be operative till the expiration of four years from the date of the Act, the Trustees stated that no further procedure toward sale or other disposition of lands inuring to the State under the Murphy Act be undertaken till the case of title be finally adjudicated.

It was anticipated that in the case above referred to the matter would come before the Supreme Court and be disposed of sometime during the month of September next. All applications, therefore, were ordered held in abeyance.

The Secretary reported that in connection with lands under the Murphy Act, proposed resolutions, rules and regulations, with suggested forms for carrying out sales, were ready for consideration by the board.

The Trustees directed that all these matters be referred to the Attorney General for examination and report before final action.

Mr. Ben Herr, Engineer for Okeechobee Flood Control District, presented request from the War Department that the Trustees supplement the various right-of-way easements by executing easement deeds to the United States, as provided in the several resolutions adopted from time to time granting permission to use parcels of State land as right of ways and spoiling ground in connection with construction of Okeechobee Levee. Mr. Herr submitted four deeds desired at this time by the War Department

covering levee right of ways through Glades and Palm Beach Counties and advised the Trustees that the United States Attorney General had ruled that an opinion from the Attorney General of the State would be accepted in lieu of abstracts as to the validity of title to the land.

Motion was made, seconded and adopted, that the Trustees authorize execution of deeds as requested by the War Department conveying rights-of-ways through Glades and Palm Beach Counties, upon description and deed form being checked by the Engineer and upon approval by the Attorney General of title to the land.

Mr. Ben Herr, Engineer for Okeechobee Flood Control District, informed the Trustees that in connection with right-of-ways around Lake Okeechobee, the War Department requests adoption of a resolution granting additional areas on the lake side of the levee in order to maintain a uniform width for the right-of-ways of 1200 feet; that the width at present ranges from 400 to 1200 feet and in order to complete a tree-planting program as a protective measure the additional right-of-way is desired.

Upon discussion, motion was made, seconded and carried, that the Secretary prepare a resolution similar to those heretofore executed in favor of the United States granting additional right-of-way over State land on the lake side of the Levee, with provision for protection of the Trustees' interest in the land.

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Mr. J. V. Keen, Tallahassee, submitted application of Dr. George H. Albee for the purchase of 4.83 acres of land located in Section 1, Township 39 South, Range 18 East, Sarasota County, and offered \$50 an acre for the parcel.

The Secretary explained that the land applied for is a part of Government Lot 2, otherwise known as Enchanted Isles, and pursuant to action of the Trustees about a year ago it was determined that the estate of C. J. Coon and Dr. Albee were the only parties entitled to consideration in the sale of this area. The Trustees agreed on a price of \$50 an acre, plus cost of advertising, for the parcel applied for by Mrs. Coon, widow of C. J. Coon.

Motion was made, seconded and adopted, that the Trustees accept \$50 an acre from Dr. Albee for the parcel applied for, plus cost of advertising, description to be checked by the Engineer.

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The Trustees having declined offer of \$200 an acre from J. U. Bethell, on behalf of Cyrus A. Mackey, for the

purchase of submerged land adjoining upland property in Boca Ceiga Bay, Pinellas County, Mr. Bethell has submitted another offer of \$225 an acre.

Motion was made, seconded and adopted, to defer action for the present on an offer from Mr. Bethell.

The Trustees postponed action on application from T. W. Conley, Jr., Okeechobee, for grazing lease on State land in Section 4, Township 38 South, Range 35 East, Okeechobee County, with offer of fifteen cents an acre annually for three years.

Request was submitted from W. Martin Burket for transfer and assignment to Tide Water Red Cypress Company of his lease No. 18290, dated May 16, 1939, permitting removal of timber from the Dead Lakes and Chipola River.

Motion was made, seconded and adopted, that upon approval by the Attorney General as to details of transfer and furnishing of bond, the request of Mr. Burket be granted.

The following bills amounting to \$507.33 were approved and checks ordered issued in payment therefor:

M. C. McIntosh, Asst. Atty. General, Tallahassee	\$ 62.00
S. S. Savage, Field Agent, Ocala, Fla.	272.99
W. B. Granger, Belle Glade, Fla.	21.30
County Fire Insurance Co., Philadelphia, Pa.	65.65
E. B. Leatherman, C. C. C., Miami, Fla.	1.20
Ray E. Green, C. C. C., Clearwater, Fla.	1.60
Palm Beach Publications, Inc., West Palm Beach, Fla.	15.50
Pinellas County Title Company, Clearwater, Fla.	7.50
American Oil Company, Jacksonville, Fla.	23.71
Proctor & Proctor, Inc., Tallahassee, Fla.	14.55
Hunter Press, Tallahassee, Fla.	12.50
Western Union Telegraph Co., Tallahassee, Fla.	1.78
Southeastern Telephone Company, Tallahassee, Fla.	7.05

\$507.33

Financial Statement for the month of July is as follows:

#### FINANCIAL STATEMENT FOR JULY, 1939 RECEIPTS

Receipts on account of various land sales	\$ 4,352.15
Land sales under Chapter 14717, Acts of 1931	15.88
Royalties on sand, shell and gravel	669.78

Sale of rock .....	110.14
Timber lease .....	144.78
Farm lease .....	152.40
Grazing lease .....	265.97
Trespass .....	78.00
Reimbursement on account of adver- tising land sale .....	53.93
Reimbursement on account of ab- tracts and court cost .....	229.45
Reimbursement on account long dis- tance call .....	2.50
Quit claim deed .....	10.00
Quit claim to reservations in Deed 16884 .....	60.00
Total receipts during month .....	\$ 6,144.98
Balance on hand July 1, 1939 .....	92,671.63
	<hr/>
	\$98,816.91
Less disbursements (itemized below) ..	1,750.43
	<hr/>
Balance July 31, 1939 .....	\$97,066.48

#### RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in banks .....	96,066.48
	<hr/>
	\$97,066.48

#### BALANCES IN BANKS JULY 31, 1939

The Atlantic National Bank, Jackson- ville, Fla. ....	\$69,822.51
The Florida National Bank, Jackson- ville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	8,422.66
	<hr/>
	\$96,066.48

#### DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
July 19,	11455	W. B. Granger .....	\$ 29.60
	11456	Palm Beach Publications .....	16.50
	11457	Proctor & Proctor .....	81.17
	11458	Standard Oil Co. ....	3.21
	11459	American Oil Co. ....	27.75
	11460	Florida State Farm .....	160.00



	11461	Railway Express Agency .....	30
	11462	Western Union Telegraph Co. ....	8.76
	11463	Postal Telegraph-Cable Co. ....	1.79
	11464	Southeastern Telephone Co. ....	14.15
31,	11465	F. C. Elliot .....	400.00
	11466	F. E. Bayless .....	275.00
	11467	M. O. Barco .....	175.00
	11468	Jentye Dedge .....	175.00
	11469	H. L. Shearer .....	50.00
	11470	S. S. Savage .....	200.00
	11471	S. S. Savage .....	105.05
	11472	M. C. McIntosh .....	3.25
	11473	Cancelled .....	
	11474	Ray E. Green, C. C. C. ....	10.00
	11475	E. B. Leatherman, C. C. C. ....	10.00
	11476	F. E. Bayless .....	3.90

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Total disbursements for July, 1939 .....\$1,750.43

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
August 22, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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Mr. W. J. Steed of Kissimmee, representing Mr. George C. Bronson, applied to purchase 85 acres of land in Sections 15 and 16, Township 25 South, Range 29 East, Osceola County, title to which vested in the Trustees through foreclosure of tax liens under Chapter 14572, Acts of 1929. Mr. Steed offered \$151.77 plus 10% for the equity of the

State in the land and stated that the Board of County Commissioners of Osceola County had agreed to accept \$500 as the County's part which amounted to \$715.89 — total amount due State and County being \$867.66.

Mr. Elliot reported that Resolution had been received from the Board of County Commissioners of Osceola County recommending that the Trustees sell the 85 acres applied for by Mr. Steed on the basis submitted: \$500 to the County and \$151.77, representing the total equity of the State, plus 10% to the Trustees. Information was also given that Colonial Estates, Inc., former owner of the property, is a dissolved Florida Corporation and that its officers abandoned the property several years ago. Check for \$500 has been deposited with the County Commissioners pending action of the Trustees.

Upon discussion, motion was made, seconded and adopted that the Trustees agree to the sale to Mr. Bronson of land in Sections 15 and 16, Township 25 South, Range 29 East, Osceola County, upon payment of \$500 to the County and \$151.77 to the State, plus 25% to the Trustees.

Mr. Steed accepted the terms and presented his check in the amount of \$189.71, representing amounts due the State and Trustees.

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Mr. John Prince, County Commissioner of Palm Beach County, presented to the Trustees request for conveyance of land west of Lake Worth, on the shore of Lake Osborne, to be established as a public park for Palm Beach County. Information was given that the 1929 legislature enacted Chapter 19133, authorizing and directing the Trustees of the Internal Improvement Fund to execute and deliver a deed to Palm Beach County conveying 555.7 acres of land in Sections 29 and 32, Township 44 South, Range 43 East, to be used for park purposes. The County has acquired from private owners tracts of adjoining lands; the necessary taxes for carrying out the program have been assessed by the County; the budget has been approved, the people of the County are agreeable to the project and everything is ready to go ahead with the work as soon as the State land is deeded.

The Governor requested time to look into the question as he was not familiar with the proposed improvement. Whereupon, action was deferred for the present.

REFERENCE TO LANDS UNDER CHAPTER  
18296 — MURPHY ACT

Mr. J. V. Keen, attorney of Tallahassee, representing the City of Miami, requested that the Trustees advertise or give notice of proposed sale of certain lands in Dade County, title to which vested in the State under Chapter 18296, Laws of 1937. Statement was made that this tract is part of an area selected by the City for an airport about ten miles from Miami; that all privately owned lands in the tract have been acquired by condemnation proceedings or settlement of taxes, and that suit was pending on the lands applied for when conditions of the Murphy Act vested such lands in the State. The City offers to bid the full amount of all taxes when the land is advertised for sale, and in view of litigation against Chapter 18296, quit claim deed will be acceptable for conveying title of the State.

The Secretary reported that the Clerk of the Circuit Court of Dade County had furnished the Trustees with a list of certificates covering the lands applied for by the City of Miami.

On discussion of the application, the Attorney General advised that he could see no reason why the Trustees should not advertise for sale the parcels applied for by Mr. Keen.

The Comptroller urged that no sales be made of these lands till the County has reported all certificates in that county listed and segregated in order that the auditors would have no trouble in separating these moneys from other County funds; that if exception is made in this case, other exceptions will have to be made because numerous requests have already been received urging that the Trustees take action on these emergency cases.

Mr. Knott suggested that an exception be made in this case, since decision as to sale was holding up an important improvement for the City of Miami, and moved that the land be advertised for sale. Motion seconded by Mr. Mayo, the vote resulted in a tie and the motion was lost.

Substitute motion was made by the Attorney General, seconded and adopted, that the Governor appoint a committee to look into the matter and report as early as possible. Whereupon, the Governor appointed Messrs. Lee, Knott and Gibbs as a Committee to submit recommendations to the Trustees on the application of the City of Miami for advertisement and sale of certain lands coming to the State under Chapter 18296.

Comptroller Lee offered a motion that the Clerk of the Circuit Court of Dade County be requested to close out

his file of certificates under Chapter 18296, Laws of 1937, as soon as possible and make his report to the Trustees. Motion seconded and duly adopted.

Upon motion duly adopted, the Trustees adjourned.

FRED. P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
August 23, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the State Treasurer at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

Upon motion of Mr. Knott, seconded by Mr. Gibbs, the following bills amounting to \$1,539.60 were approved and checks were authorized issued in payment therefor:

F. C. Elliot, Engineer and Secretary—Salary for August .....	\$ 400.00
F. E. Bayless, Land Clerk—Salary for August .....	275.00
M. O. Barco, Clerk and Stenographer—Salary for August .....	175.00
Jentye Dedge, Clerk and Stenographer—Salary for August .....	175.00
H. L. Shearer, Clerk in Land Office—Salary for August .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—Salary for August .....	200.00
S. S. Savage, Field Agent, Ocala, Fla.—Expense Account .....	120.85
Frank Karel, Sheriff Orange County, Orlando, Fla. ....	3.45
D. C. Coleman, Sheriff Dade County, Miami, Fla. ....	20.30
Mrs. O. W. Sheldon, Tallahassee, Fla.—Indexing Land Office records—Salary .....	60.00
Mrs. C. W. McDonald, Tallahassee, Fla.—Indexing Land Office records—Salary .....	60.00
	<hr/>
	\$1,539.60



Upon motion duly adopted the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

\_\_\_\_\_  
Tallahassee, Florida,  
September 22, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

#### REFERENCE TO LANDS UNDER CHAPTER 18296 — MURPHY ACT

Mr. J. V. Keen, Attorney of Tallahassee, requested reconsideration of the application of the City of Miami, presented to the Trustees August 22nd to purchase certain land located about seven miles northwest of Miami desired as an airport site.

It was stated that condemnation proceedings had been instituted against this land prior to the vesting of title in the State under Chapter 18296, Acts of 1937. Also that a WPA project has been approved for the airport but the Government will not proceed until the City has deed to these lots. Mr. Keen informed the board that a quit claim deed would be satisfactory and that the City is ready to pay the face of the certificates, amounting to \$299.69.

Pending decision of the Supreme Court on cases before it having reference to the Murphy Act, the Trustees declined to take any action until the Court has rendered an opinion.

\_\_\_\_\_  
The following bills amounting to \$1,647.23 were approved and checks were ordered drawn in payment therefor:

M. C. McIntosh, Asst. Atty. General, Tallahassee, Fla. ....	19.15
F. E. Bayless, Land Clerk, Tallahassee, Fla. ....	20.50

S. S. Savage, Field Agent, Ocala, Fla. ....	234.30
W. B. Granger, Belle Glade, Fla. ....	25.45
Standard Oil Company, Jacksonville, Fla. ....	3.22
American Oil Company, Jacksonville, Fla. ....	18.42
The Goodyear Tire & Rubber Co., Inc., Jacksonville, Fla. ....	29.35
Proctor & Proctor, Tallahassee, Fla. ....	14.87
Geo. O. Butler, C. C. C., West Palm Beach, Fla. ....	3.90
Palm Beach Post, West Palm Beach, Fla. ....	12.00
F. A. Currie, West Palm Beach, Fla. ....	15.00
D. S. Weeks, C. C. C., Moore Haven, Fla. ....	1.90
County of Sarasota, State of Florida ....	765.83
County of Palm Beach, State of Florida ....	197.29
W. V. Knott, State Treasurer—Sale of Osceola County land ....	151.77
W. V. Knott, State Treasurer—Sale of Palm Beach County land ....	36.43
W. V. Knott, State Treasurer—Sale of Sarasota County land ....	71.32
James A. Ellis Company, Jacksonville, Fla. ....	10.00
Florida Office Equipment Company, Tallahassee, Fla. ....	1.25
Western Union, Tallahassee, Fla. ....	2.00
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	1.08
Southeastern Telephone Co., Tallahassee, Fla. ....	12.20
	<hr/>
	\$1,647.23

Financial statement for the month of August, 1939 is as follows:

#### FINAICIAL STATEMENT FOR AUGUST, 1939 RECEIPTS

Receipts on account of various land sales .....	\$ 6,567.76
Land Sales under Chapter 14572, Acts of 1929 .....	189.71
Royalties on sand, shell and gravel .....	347.07
Farm lease .....	543.38
Grazing lease .....	194.95
Timber lease .....	209.82
Hunting lease .....	309.72
Sale of certified copy of minutes .....	1.50
Refund on abstract .....	16.50
Return by E. B. Leatherman, C. C. C., of check No. 11475 on 63-2 covering filing fee (check cancelled) .....	10.00
	<hr/>
Total receipts during month .....	\$ 8,390.41

Balance on hand August 1, 1939 .....	97,066.48
	<u>\$105,456.89</u>
Less disbursements (itemized below) .....	2,046.93
	<u>Balance August 31, 1939 .....</u>
	\$103,409.96

## RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in banks .....	102,409.96
	<u>\$103,409.96</u>

## BALANCES IN BANKS AUGUST 31, 1939

Atlantic National Bank, Jacksonville, Fla. ....	\$ 76,159.24
Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	8,429.41
	<u>\$102,409.96</u>

## DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
Aug. 18,	11477	M. C. McIntosh .....	62.00
	11478	S. S. Savage .....	272.99
	11479	W. B. Granger .....	21.30
	11480	County Fire Insurance Co. ....	65.65
	11481	E. B. Leatherman, C. C. C. ....	1.20
	11482	Ray E. Green .....	1.60
	11483	Palm Beach Publications, Inc .....	15.50
	11484	Pinellas County Title Co. ....	7.50
	11485	American Oil Co. ....	23.71
	11486	Proctor & Proctor, Inc. ....	14.55
	11487	Hunter Press .....	12.50
	11488	Western Union Telegraph Co. ...	1.78
	11489	Southeastern Telephone Co. ....	7.05
31,	11490	F. C. Elliot .....	400.00
	11491	F. E. Bayless .....	275.00
	11492	M. O. Barco .....	175.00
	11493	Jenty Dedge .....	175.00
	11494	H. L. Shearer .....	50.00
	11495	S. S. Savage .....	200.00
	11496	S. S. Savage .....	120.85
	11497	Frank Karel, Sheriff .....	3.45
	11498	D. C. Coleman, Sheriff .....	20.30

11499	Mrs. O. W. Sheldon .....	60.00
11500	Mrs. C. W. McDonald .....	60.00

Total disbursements for August, 1939 ..\$2,046.93

Upon motion the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
September 27, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees dated August 15th, 22nd, 23rd and September 22nd, 1939, approved.

Senator W. A. McWilliams, St. Augustine, submitted application from J. P. Oesterricher, Mims, Florida, for permit to remove sawgrass from State land in Township 16, South, Range 29 East, Volusia County, and offered \$1 per ton for all material taken.

Motion was made, seconded and adopted, to issue lease to Mr. Oesterricher for a period of one year to take sawgrass from State lands in Township 16 South, Range 29 East, Volusia County upon payment of \$1 per ton for material removed. Granting of the lease conditioned upon approval of the Governor.

The Governor having approved the above action, lease was granted in favor of Mr. Oesterricher.

Application was again presented from J. U. Bethell of St. Petersburg, offering \$225 an acre for approximately 6½ acres of submerged land adjacent to upland of his



client, Cyrus A. Mackey, in Section 24, Township 31 South, Range 15 East, Pinellas County, lying approximately 2,000 feet north of proposed Central Avenue Causeway across Boca Ceiga Bay.

Motion was made, seconded and adopted, that the Trustees accept the offer of Mr. Bethell of \$225 an acre for the land applied for, plus advertising costs, such acceptance to be subject to approval of the Governor.

The Governor having disapproved sale of the above described land, the offer of Mr. Bethell was declined.

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Ausley and Ausley, Attorneys of Tallahassee, representing Clarence O. Moon, offered \$150 for approximately .75 of an acre of submerged land adjacent to upland property in Section 1, Township 31 South, Range 15 East, Pinellas County.

Motion was made, seconded and adopted, to decline offer of \$150 an acre for land applied for by Mr. Moon, but the Trustees agreed on a price of \$225 an acre, conditioned upon approval of the Governor.

The Governor having disapproved sale of the above described land, the offer to sell at \$225 an acre was withdrawn.

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Application was presented from Alfred Destin Company for renewal of sand lease as of August 9, 1939, covering an area in the vicinity of Bear's Cut, Dade County, Florida.

Upon discussion, it was agreeable to renew sand lease in favor of Alfred Destin Company for a period of two years upon payment of five cents a ton for all sand pumped, subject to approval of the Governor.

The Governor having disapproved renewing sand lease at the price offered, renewal was not allowed.

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Request was submitted from Dr. B. R. Bell, President of Palm Beach Pistol Club, West Palm Beach, for permission to use an area of State land on Lake Mangonia in Section 5, Township 43 South, Range 43 East, Palm Beach County, on which to establish a pistol range. Information was submitted that application has also been made through the Adjutant General of Florida to the National Rifle and Pistol Association for issuance of a charter to the Palm Beach Club.

Upon discussion, the Trustees declined to issue lease for a Pistol Range, but it was agreeable to execute a general

lease in favor of Dr. Bell for a period of one year upon payment of \$10. This action to be subject to approval of the Governor.

The Governor having approved leasing the area for a period of one year at a price of \$1 an acre, with a minimum of \$15, lease on such basis was allowed.

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Application was presented from F. M. Boone and A. B. Modine for permission to dredge sand from an area in Big Bayou, South of Veteran's Home in Pinellas County. The tract is approximately 650 feet east and west by 200 feet north and south, estimated as three acres, the material to be deposited on adjoining property owned by applicants. An offer of \$50 an acre was made for a lease of one year within which to dredge the area described.

Upon motion, seconded and adopted, the Trustees agreed to grant to Messrs. Boone and Modine a lease for one year on the area specified upon payment of \$50 an acre, such action to be subject to approval of the Governor.

The Governor having disapproved the above, permit was not allowed.

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Motion was made, seconded and adopted, that subject to the approval of the Governor, the Trustees will issue grazing lease to client of T. W. Conely, Jr., on land in Section 4, Township 38 South, Range 35 East, Oeechobee County, for a period of one year upon payment of fifteen cents an acre.

The Governor having approved leasing the land applied for by Mr. Conely at a price of 25 cents an acre, lease was allowed on that basis.

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Motion was made, seconded and adopted, to decline offer from T. C. Hart, Wauchula of \$400 for the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 13, and the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25, Township 35 South, Range 26 East, Hardee County, the Trustees being of the opinion that the price was too low. Action approved by the Governor.

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Offer of \$15 was submitted from Drainage Tax Bureau, West Palm Beach, for that part of Section 29, Township 44 South, Range 38 East, Palm Beach County, lying north and east of Hillsboro Canal and containing approximately 20 acres.

Motion was made, seconded and adopted, to decline offer submitted by Drainage Tax Bureau. Action approved by the Governor.

Letter was presented from George W. English, City Attorney of Ft. Lauderdale, enclosing statement of outstanding City taxes amounting to \$96.07 for the years 1927, 1928 and 1929 on State land in Newman's Survey, Broward County. Notice was given that if taxes are not promptly paid the land will be advertised for sale.

The Trustees postponed action and directed the Land Clerk to secure further information on the subject and ascertain for what purpose the taxes were levied. Action approved by the Governor.

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Motion was made, seconded and adopted, to decline offer of \$200 from S. E. Fogelberg, Glenn St. Mary, for the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 24, Township 1 North, Range 18 East, Columbia County, lying approximately 12 miles east of Benton. It was the opinion of the Trustees that the land is worth more than the price offered. Action approved by the Governor.

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Upon consideration of an offer of \$100 an acre from J. B. Grant and H. R. Layfield, Lake Harbor, for Lot 1, Section 31, Township 43 South, Range 36 East—26.10 acres in Palm Beach County, motion was made, seconded and adopted, to decline such offer. Above action approved by the Governor.

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Motion was made, seconded and adopted to defer action on offer from T. T. Scott, Live Oak, of \$1,500 for timber on Section 7, Township 46 South, Range 31 East, Hendry County.

The Land Clerk was directed to have S. S. Savage, Field Agent, make an investigation of the timber on this land and report his recommendations to the Trustees. Action approved by the Governor.

Offer of \$180 was submitted from Howard Wise, Okeechobee, for the purchase of 12 acres of marginal land between his upland ownership and the 17 foot contour of Lake Okeechobee, located in Section 36, Township 37 South, Range 35 East, Okeechobee County.

Motion was made, seconded and adopted, to decline offer from Mr. Wise as it was considered too low for the land applied for. Approved by the Governor.

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Mr. Bayless presented the following proposal from Howard McFarlane, Attorney for Eugene L. Pearce, Clearwater, purchaser of land under Entry No. 17691 dated July 3, 1926:

"That Mr. Pearce be allowed to deed to the Trustees 42.5 acres of sovereignty land in Entry No. 17691 which he purchased at a price of \$100 an acre, three payments of \$1,051.25 each, plus \$315.38 interest, having been made. A fourth payment of \$1,051.25 has been delinquent since 1928, and Mr. Pearce is willing to deed the land back to the State in exchange for satisfaction of mortgage, there by eliminating the necessity of foreclosure on such entry.

Upon consideration of the proposal from Mr. Pearce, motion was made, seconded, and adopted, that subject to approval of the Governor the Trustees allow reconveyance of the land in Entry No. 17691 and upon receipt of such deed satisfaction of mortgage to be executed in favor of Mr. Pearce.

The above action having been approved by the Governor, it was so ordered.

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Application was presented from Captain Walter A. Starek, Islamorada, offering \$400 for the purchase of Wilson Key, lying west of Over-Seas Highway and north of Upper Matecumbe Key, containing approximately 3 acres in Section 22, Township 63 South, Range 37 East, Monroe County. In the event application to purchase is denied, counter offer is submitted of \$25 annually for a five year lease on the Key.

Motion was made, seconded and adopted to decline offer to purchase Wilson Key, but it was agreeable to lease the Key for a period of one year with payment of \$25, subject to approval of the Governor.

The Governor having disapproved sale or lease of the Key both proposal were rejected.

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Mr. Bayless reported that on November 14, 1934 the Trustees deeded to Harvey W. Seeds Post No. 29 of the American Legion, Miami, for a consideration of \$25, certain submerged lands and spoil areas lying east of their property on Biscayne Bay in Township 53 South. Range 42 East, Dade County; that the deed contained a clause to the effect that title shall remain in the Post so long as the premises covered by the deed be used and occupied by such Post, but upon failure to so occupy, title shall revert to the State; that the trustees of Harvey W. Seeds Post now have an opportunity to utilize a portion of the tract for short wave radio station towers and also for yacht slips, and requests a new deed eliminating the



reversion clause in order to allow leasing of the area by the Post. The proceeds to be used for the benefit of such Post.

Motion was made, seconded and adopted to defer action on request of Harvey W. Seeds Post pending investigation and information as to acreage deeded.

The Governor having disapproved changing deed to Harvey W. Seeds Post, it was so ordered.

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The Land Clerk submitted an offer of \$30 an acre from clients of A. R. Richardson, for the remaining land in Section 19, Township 42 South, Range 38 East, containing 378.83 acres in Palm Beach County. Information was furnished that this land is located in Pelican Lake Sub-Drainage District with assessments in excess of \$3 an acre, and that similar land was recently sold at the above price.

Motion was made, seconded and adopted, to accept offer of \$30 an acre from clients of A. R. Richardson, subject to approval of the Governor.

The Governor having approved above action, sale was allowed.

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Application was presented from the City of Tampa for donation of 73½ acres of bay bottom land in Hillsborough Bay, adjacent to Peter O. Knight Field, Davis Island, to be used in connection with construction by the United States of a breakwater at that point.

Motion was made, seconded and adopted to grant easement deed to the City of Tampa covering the land applied for upon payment of \$10, such land to be used in connection with the proposed construction by the United States Government; such action to be subject to approval of the Governor.

The Governor having disapproved above request, permit was not allowed.

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Offer was received from G. G. Albritton, Sebring, of 25c an acre for grazing lease on 213.41 acres of land in Section 15, Township 35 South, Range 30 East, Highlands County, which area adjoins land recently leased to Mr. Albritton.

Motion was made, seconded and adopted, to lease for grazing purposes the land applied for by Mr. Albritton upon payment of 25c an acre for one year lease. Such action subject to approval of the Governor.

The Governor having approved above action, lease was granted.

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Motion was made, seconded and adopted to deny application of J. S. Howard of Dukes, Florida, for three year grazing lease on 189.60 acres of land in Section 2, Township 36 South, Range 31 East, Highlands County.

The Governor having approved above action, application of Mr. Howard was denied.

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Application was presented from North Shore Corporation, Jacksonville, Florida, accompanied by offer of \$5 annually to lease an area of reclaimed land on Fort George Inlet on the north side of the Jetty where the St. Johns River empties into the ocean. Information was furnished that the land is built up of shell and sand, with no vegetation growing except sea oats which was planted by North Shore Corporation, and the lease is desired for the purpose only of keeping undesirable squatters from locating on the premises. The Company has constructed a public road out to this point and operates a fishing camp for the public.

Upon discussion, motion was made, seconded and adopted that subject to approval of the Governor a lease be granted North Shore Corporation for a period of one year upon payment of \$25. Such lease to provide for supervision only over the property. This action having been approved by the Governor, provided the lease carries the stipulation that this land shall be open to the public, lease was authorized.

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Request was submitted from the County Commissioners of Palm Beach County, for deed to 15 acres of land in Section 9, Township 42 South, Range 37 East, to be used as a rock pit in connection with road building in the farming area of the County. Information was given that this land is under Sale Contract to Pelican Lake Farms, Inc., but that it is satisfactory with said company to release this tract provided the Trustees will credit their contract on a pro rata basis.

Upon discussion, motion was made, seconded and adopted, (Comptroller Lee voting No) that subject to approval of the Governor the Trustees grant request of Palm Beach County, and upon conveyance from Pelican Lake Farms, Inc., of the fifteen acres their contract will be given credit for balance due on the reconveyed area, not to exceed \$1,000. In consideration of the above, Palm Beach County will pay to the Trustee \$10 for deed to the

24

land, such deed to stipulate that rock taken will be used to the benefit of the public roads of the County.

The Governor having disapproved above action, request of Palm Beach County was denied.

Motion was made, seconded and adopted, to decline offer from J. L. Robertson, Bristol, of 2 cents per pole for approximately 30,000 dead cypress poles to be taken from the Dead Lakes.

Above action approved by the Governor.

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Mr. Bayless reported that according to survey being made of State lands around the Dead Lakes, it has developed that privately owned fish camps are located on State land and in one instance the surveyor has been threatened if he attempts to go on the land again.

The Trustees expressed themselves as having no desire to interfere with fishing camps on privately owned land bordering the Dead Lakes, but were only interested in protecting the State's rights in the water bottoms.

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Mr. Bayless reported that on March 29, 1939 the Trustees agreed to sell to Baker County School Board the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, Township 1 South, Range 21 East, for the sum of \$40. Check was received July 29th and deed prepared in August, but prior to delivery of deed information was furnished that one L. N. Rewis had been in possession of this land for many years and had made improvements thereon. The County requests refund of the \$40 in view of the foregoing circumstances.

Motion was made, seconded and adopted, that subject to approval of the Governor, the Trustees refund to Baker County School Board the amount of \$40, and further than since one-fourth of the money was deposited to the School Fund, the Land Clerk be directed to withhold from future payments to such fund a similar amount to reimburse the Trustees.

Mr. Bayless was requested to make investigation of claim of L. N. Rewis and report his findings to the Trustees.

The Governor having approved above action, refund was allowed.

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Offer of \$50 was submitted from Wilson Sanders, representing R. P. McKinney, for approximately two-thirds of an acre of marginal land on Lake Conway, Orange County, lying between his upland and the waters of the Lake.

Motion was made, seconded and adopted, to decline offer of \$50 for the marginal land applied for by Mr. Sanders, but it was agreeable to accept \$125 for the tract, subject to the approval of the Governor.

The Governor having approved action taken, the price of \$125 was agreed upon.

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Motion was made, seconded and adopted, to defer action on offer of \$3,000 cash from John G. Simms, representing R. E. Jacques, Miami, for the purchase of Conch Key, located on the north side of and adjacent to Over-Seas Highway, west of Long Key Viaduct, Monroe County, such action to be subject to approval of the Governor.

The Governor having disapproved sale of Conch Key at the price offered, sale was not allowed.

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Mr. Bayless reported that on October 22, 1935, the Trustees sold to Fritz Stein, under Contract No. 18327, Lots 5 to 12; W $\frac{1}{2}$  of Lots 13 and 20, and all of Lot 21, Section 24, Township 43 South, Range 36 East—78.55 acres in Palm Beach County, the total purchase price being \$11,549.80. Three payment have been made on the purchase totaling \$1,732.47 but nothing since July, 1937. Mr. Stein now desires to surrender his contract, forfeit all payments made and repurchase the land under a new contract at the same price. He states that he has made arrangement which will enable him to meet monthly payments.

Motion was made, seconded and adopted, that, subject to approval of the Governor, the request of Mr. Stein be granted and that new Contract be prepared covering the same land.

The Governor having approved the action taken on request of Mr. Stein, new Contract was allowed.

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Mr. Bayless presented request from Ritta Settlers desiring to know at what price the Trustees would sell marginal land lying between the meander and the Government Levee.

Motion was made, seconded and adopted, to accept \$75 an acre for the marginal land applied for by Ritta Settlers, provided such price was approved by the Governor.

The Governor having approved the above action, the price of \$75 an acre was agreeable.

Motion was made, seconded and adopted, to decline offer of \$7,000 from Harley Watson, Arcadia, for 130



acres of land in Section 11, Township 44 South, Range 35 East, Palm Beach County.

Action approved by the Governor.

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Application was presented from Cassel & Trinkle, Plant City, representing R. W. Sanders, requesting release of canal reservations on the East 71 feet of Lot "A" of Belle Glade Subdivision of Section 31, Township 43 South, Range 37 East, Palm Beach County, and offering \$25 for such release. Information was given that 130 feet of the right-of-way reserved for Hillsboro canal takes in 50 feet of this Lot but the canal has been constructed and a county road lies between Mr. Sanders' Lot and the Canal.

Motion was made, seconded and adopted, that, subject to the approval of the Governor, the Trustees release reservations in deed to Lot "A" upon payment of \$25.

The Governor having approved the above action, release was allowed.

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Application was presented from the City of Kissimmee to acquire reclaimed lake bottom land within the city limits, containing approximately 30 acres, formerly a part of Lake Tohopekaliga. Information was furnished that the City acquired this land from supposedly private owners, has subdivided the tract and is encouraging a building program by offering to donate one lot to anyone who will build a home thereon. An offer of \$10 was made for deed to the 30 acres.

Motion was made, seconded and adopted, that, subject to approval of the Governor, the Trustees deed the reclaimed land applied for to the City of Kissimmee upon payment of \$10.

The Governor having approved the sale, deed was ordered issued.

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Mr. Bayless reported that Deed No. 17447-"B" dated October 15, 1925, conveyed to C. L. Wilder certain land in Sections 19 and 24, Township 42 South, Ranges 36 and 37 East, Palm Beach County. 10.56 acres of this land was on the Pelican Lake side of the Old State Dyke but was not usable since there was no drainage available. Subsequently the Trustees leased to Richlands, Inc., all of Pelican Bay, giving the Old State Dyke as one of the boundaries, and lessees included the 10.56 acres sold to Mr. Wilder in their drainage project. Lewis G. Freeman, successor to Mr. Wilder, is now requesting that the

Trustees exchange 10.34 acres of State land in Section 24 located on the land side of the Dyke for the 10.56 acres in the Pelican Bay area.

Motion was made, seconded and adopted, that, subject to approval of the Governor, the Trustees agree to the exchange requested upon payment of \$10.

The Governor having approved the action taken, the exchange was allowed.

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Request was presented from H. L. Nelson, Winter Park, that the Trustees enter into contract with him based on action taken in March, 1936, at which time it was agreed that he might take deadhead timber from the Suwannee River on a basis of \$3 per thousand feet. Mr. Nelson stated that he was unable to carry out the agreement in 1936 but was in a position to do so now.

Motion was made, seconded and adopted, that, subject to approval of the Governor, permission be given Mr. Nelson to remove the deadhead timber from the Suwannee River upon payment of \$5 a thousand feet.

The Governor having approved the action above, with the condition that Lessee furnish bond in amount of \$1,000 and notify the Trustees the name of the mill to which the timber will be sold, the lease was allowed.

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Mr. Bayless reported that Mrs. D. S. Weeks, Clerk of the Circuit Court of Glades County, has given notice of outstanding individual tax certificates held by E. P. Scarborough on the S1½ of Section 22, Township 39 South, Range 33 East, Glades County, amounting to \$24.35; that the Trustees' mortgage covering this land was foreclosed in December, 1938, and the certificates were issued prior to that time—August, 1937.

Motion was made, seconded and adopted, that subject to approval of the Governor check in amount of \$24.35 be drawn in favor of the Clerk of the Circuit Court of Glades County for the purpose of redeeming the above described land from tax certificates.

The Governor having approved the above action, the check was ordered drawn.

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Motion was made, seconded and adopted, to decline offer of \$4,000 from Tom Allen, Wellborn, for pine saw-mill timber on State land in Levy County, the Field Agent having estimated all the timber on said land to be worth \$15,204.85.

The Governor approved action on Mr. Allen's application.

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The Secretary presented offer of \$5 from J. E. Campbell for the equity of the State in Lot 9, Redland Citrus Orchards, Section 16, Township 56 South, Range 39 East, which equity is represented by Everglades Drainage tax Certificate No. 5877 Dade County amounting to 89c. Applicant was owner of the land at time of tax sale.

Motion was made, seconded and adopted, that the Trustees accept \$5 for its equity in the land applied for by Mr. Campbell, subject, however, to approval of the Governor.

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The Trustees having agreed August 15th to grant to the United States additional right-of-way on the lake side of the Government Levee, the Secretary presented proposed resolution for consideration.

Motion was made, seconded and adopted, that the Resolution be referred to the Attorney General for examination and report before final action is taken.

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Motion was made, seconded and adopted, to defer action on request from the City of Dunedin for release of certain land covered by mortgage from Dunedin Syndicate to the Trustees, such tract being desired by the City for an airport site.

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Application was submitted from the State Road Department for right-of-way 100 feet wide through and across the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 28, Township 40 South, Range 32 East, Glades County, for use in connection with SRD 54 — Project 5067 — State Road 29.

Motion was made, seconded and adopted that, subject to approval of the Governor, the Trustees grant to the State Road Department right-of-way as requested for use in connection with State Road 29.

The Governor having approved right-of-way grant to the State Road Department, permit was allowed.

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Mr. Elliot presented Resolution adopted by the County Commissioners of Levy County, requesting establishment of a Work Camp of State prisoners to be located in Levy County for the improvement, conservation and reforestation of lands owned by the State, and requesting that the Trustees sell sufficient timber, wood, trees, etc., to

provide revenue for enabling the Board of Commissioners of State Institutions to establish such camp.

Motion was made, seconded and adopted, that no action be taken by the Trustees until the Board of State Institutions has given the matter consideration.

Mr. Elliot presented recommendations from County Officials of Levy County that Mr. Francis Coulter be employed by the Trustees as an agent to look after and protect State lands and products thereon in Levy County.

It was the decision of the Trustees that since they have a man in their employ who looks after State lands there was not an opening at this time.

Motion was made, seconded and adopted' to defer action on request from Palm Beach County that the Trustees convey land located on Lake Osborne for use as a public park, provision having been made in Chapter 19133, Acts of 1939, for deeding this land to the County.

The Trustees referred to the Attorney General a bill from the Supreme Court in amount of \$12 covering cost in the case of Dykes, Clerk Circuit Court of Lake County vs. State ex rel Buck, which case has reference to Chapter 18296, Acts of 1937, known as the Murphy Act.

The following bills amounting to \$1,335.00 were approved and checks ordered draw in payment therefor:

F. C. Elliot, Engineer and Secretary—Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—Salary .....	275.00
M. O. Barco, Clerk and Stenographer—Salary .....	175.00
Jentye Dedge, Clerk and Stenographer—Salary .....	175.00
H. L. Shearer, Clerk in Land Office—Salary, part time .....	50.00
Mrs. O. W. Sheldon, Indexing Records in Land Office— $\frac{1}{2}$ month @ \$60 .....	30.00
Mrs. C. W. McDonald, Indexing Records in Land Office— $\frac{1}{2}$ month @ \$60 .....	30.00
S. S. Savage, Field Agent, Ocala, Fla.—Salary .....	200.00
	<hr/>
	\$1,335.00

The Trustees recessed to meet at 3:30 P. M., for consideration of policy in connection with Chapter 18296, Acts of 1937, known as the Murphy Act.



REFERENCE TO LANDS UNDER CHAPTER 18296—  
MURPHY ACT

3:30 P. M.

The Trustees reconvened at 3:30 P. M., with the same members present as at the morning meeting.

The Secretary presented a suggested form of Resolution having reference to policy of the Trustees in connection with lands coming to the State under Chapter 18296, Acts of 1937.

Information was furnished that pursuant to action taken July 12th, approximately six counties had sent in complete lists of certificates with about seven additional counties incomplete.

Discussion was had with reference to method of advertising for bids and it was the opinion of those present that advertising should be in the newspapers; that selection should be made of certain tract and advertise them for sale on a certain day, with sale to continue till lands were sold. All bids to be accepted subject to approval of the Trustees. Form of advertisement to be similar to that used by the Counties in publishing delinquent tax sales.

Minimum bid was considered. Comptroller Lee suggested that the board not fix a minimum bid, but take the best bid they could get for the land when put up for sale.

Suggestion was offered that the Clerks of the Courts in reporting bids indicate their recommendations as to acceptance or rejection of such bid. The Attorney General desired to know why it was necessary to have the Clerk's recommendation. Mr. Mayo explained that the Clerks of the Courts were better posted than any individual would be as to the value of the various tracts of land in their respective counties and for that reason it would be helpful to have their views.

The question was asked as to how costs such as newspaper advertisements, printing forms, etc., would be paid prior to sales, or in the event proceeds from sales were not sufficient to take care of such costs. The Comptroller was of the opinion that there would be sufficient revenue from sales to pay all costs, but suggested that all bids be held until sales could be made. He recommended that first a small county be selected and certain tracts be advertised, believing that the outcome of that sale would give an idea of how sales would run. The Attorney General suggested that newspapers be notified that advertising costs would not be paid until money was received from sales.

It was agreed that no action be taken on distribution of proceeds derived from the sale of these lands pending decision of the Supreme Court on the Act.

Upon motion, duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
October 3, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

The Minutes of the Trustees for September 27th presented and approved.

Comptroller Lee reported that heretofore he has been cancelling state and county tax sale certificates which he found to be erroneously issued or void for various reasons, and desired information as to whether this policy would be affected by Chapter 18296, Acts of 1937 — the Murphy Act.

Motion was made, seconded and adopted, that the Comptroller continue his usual procedure in reference to cancelling void or illegal state and county tax sale certificates without reference to the Murphy Act, the Trustees being of the opinion that such Act has no bearing on the certificates referred to by the Comptroller.

The War Department having requested additional right-of-way over and across lake bottom lands owned by the State in Palm Beach and Glades Counties, lying to the lakeward side of the Government Levee, proposed Reso-

lution was submitted to the Trustees at the meeting September 27th and referred to the Attorney General for examination.

Attorney General Gibbs reported that the proposed resolution referred to him was in proper form and recommended its approval by the Trustees. Whereupon motion was made, seconded and carried that the following resolution be adopted by the Trustees of the Internal Improvement Fund:

### RESOLUTION

WHEREAS, the Congress of the United States in an Act authorizing the construction, repair and preservation of certain public works on rivers and harbors, approved July 3, 1930 (Public No. 527, 71st Congress, H. R. 11781), did adopt and authorize as a work of improvement at the expense of the United States, subject to certain contributions to be made by local interests, a project for the improvement of the Caloosahatchee River and Lake Okeechobee Drainage Areas, in accordance with reports submitted in Senate Document No. 115, 71st Congress, second session, and as modified by the said Congressional Act above referred to; and

WHEREAS, one of the conditions provided by the said Act was to the effect that local interests shall acquire and transfer, free of cost to the United States, the right of Way and suitable areas for deposit of dredged material required in connection with the work and its subsequent maintenance; and

Whereas, the works provided for under Act of Congress as above have been constructed and additional areas are needed for the proper maintenance and protection of the same; and

WHEREAS, the additional right-of-way required for such maintenance and protection as determined by surveys, metes and bounds description, and plats made and prepared by the United State War Department, are those described as:

Parcel T-1—686.00 Acres

As shown on Plats, Sheets 2, 3 and 4, "Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida—Maps showing Location of Levee Rights-of-Way in Glades County, Florida—U. S. Engineer Office, Jacksonville, Florida—November 1938—File No. 305-12,240."

ALSO:

Parcel T-2—863.07 Acres

Parcel T-3—13.91 Acres  
Parcel T-5—639.84 Acres

As shown on Plats, Sheets 2 to 10, inclusive, "Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida—Maps showing Location of Levee Rights-of-Way in Palm Beach County, Florida—U. S. Engineer Office, Jacksonville, Florida—December, 1938—File No. 303-12,241."

All lying on the lakeward side of and adjoining Lake Okeechobee Levee Right of Way as formerly granted by the Trustees of the Internal Improvement Fund to the United States.

Copies of unrecorded plats above described are on File with Trustees of the Internal Improvement Fund and at the U. S. Engineer Office, Jacksonville, Florida, and are attached hereto as a part of this Resolution; and

WHEREAS, the said described land to be occupied by or necessary to the proper maintenance and protection of the said levee and navigation channel belongs to the State of Florida; and

WHEREAS, the construction of the said improvements thereon is in the interest and to the benefit of the people of the State of Florida, and of the United States; now therefore,

BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida that the said Trustees hereby authorize the United States Engineer, War Department, and his assistants, agents and contractors, to occupy said lands hereinbefore described for the proper maintenance and protection of said levee and navigation channel; and

RESERVING HOWEVER, to the Trustees of the Internal Improvement Fund of the State of Florida, their successors and assigns, all such rights and privileges in said tracts of land as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the United States; and

BE IT FURTHER RESOLVED that in the event it is deemed necessary, the Trustees of the Internal Improvement Fund will supplement this authorization by executing in favor of the United States easement deeds to the right of way hereinbefore described.

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The Secretary was requested to furnish the U. S. Engineer Office, Jacksonville, Florida, with certified copy of the above resolution and also send copy to Okeechobee Flood Control District, West Palm Beach, Florida.



Application was presented from J. W. McLaughlin, on behalf of J. B. Fraser, for permit to remove sand from an area in New River Sound at the request of the City of Fort Lauderdale in connection with improvement of the yacht basin and proposed city docks. Material to be removed without payment to the Trustees.

Upon discussion it was the opinion of the Trustees that

Mr. Fraser should make payment for the material as it could be used for fill purposes or building up low areas. The Secretary was requested to look into the matter and request applicant to make an offer for the permit.

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The Trustees on September 27th referred to the Governor for approval, an offer of \$5 from J. E. Campbell for the equity of the State in Lot 9, Redland Citrus Orchards, Section 16, Township 56 South, Range 39 East, Dade County, and the Governor having indicated his approval of sale at a price of \$10, motion was made, seconded and adopted to accept \$10 for the Trustees' equity in Drainage Tax Certificate No. 5877 if sold to Mr. Campbell as original owner.

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Bill for \$12 from the Supreme Court in connection with cost involving Chapter 18296, the Murphy Act, having been referred to the Attorney General was ordered held for the present.

Motion was made, seconded and adopted, to decline request from the City of Dunedin that certain land be released from mortgage of Dunedin Syndicate, this tract being desired by the City as an airport site.

The Land Clerk was requested to inform Mr. Alfred P. Marshall, City Attorney, of the action of the Trustees.

At the meetings of the Trustees August 22nd and September 27th action was deferred on request from Palm Beach County that the Trustees convey 555.7 acres of land on Lake Osborne in Sections 29 and 32, Township 44 South, Range 43 East, as authorized by Chapter 19133, Acts of 1939. The land authorized to be conveyed to Palm Beach County is to be used for park purposes, the County having agreed to continue leasing to the Boy Scouts the tract now being occupied by them under lease from the Trustees.

The Governor having indicated his consent to the conveyance, motion was made, seconded and adopted that the Land Office prepare deed in favor of Palm Beach County conveying the land described in Chapter 19133, Acts of 1939.

The Secretary reported that in the 1931 settlement of accounts between Trustees of the Internal Improvement Fund and Everglades Drainage District, the Trustees acquired certain drainage tax certificates issued against lands on which the Trustees held purchase money mortgages; that through foreclosure some of the lands have reverted to the State and have since been re-sold to other parties; that it is now necessary to make proper entry on the Certificate List held by the Trustees as the lands are sold.

Motion was made, seconded and adopted that the Secretary be authorized to enter proper notation upon the records of parcels held under Everglades Drainage District tax sale certificates as and when lands corresponding to such certificates are sold by the Trustees.

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Application was presented from the War Department for permit to deposit spoil material on a mangrove island in Dona Bay, Sarasota County, encompassed within an area of 700 feet square, such spoil area being necessary in connection with proposed dredging operations at the junction of Little Sarasota Bay, Dona Bay, Roberts Bay and Venice Inlet channel.

Motion was made, seconded and adopted that permit be issued to the War Department of the United States for use of the mangrove island in Dona Bay on which to deposit spoil material dredged from the areas indicated on map attached to permit, with the understanding that permit will not affect or impair title to said island or bottoms surrounding it in the event, through deposit of material thereon, the island shall be raised to elevation 5.0 feet or more above local M. L. W., or after a period of two years, the privilege herein granted shall revert to the Trustees.

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The Trustees deferred action on letter from Haskins & Fielding, Attorneys of Sebring, having reference to sale of lands to Clayton C. Townes, pursuant to action taken May 23rd and July 11th, 1939.

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Mr. Bayless submitted request from Kinzie Brothers Steamer Line, Fort Myers, for renewal of shell lease in Caloosahatchee River. Information was given that application has been presented to the Conservation Department and approval granted for renewal of the lease upon payment of five cents a cubic yard to the Conservation Department and  $2\frac{1}{2}$  cents a cubic yard to the Trustees, it being understood that an employee of the Conservation

Department will check material removed and see that proper statements are made.

Upon motion, seconded and adopted, the Trustees agreed to renew lease in favor of Kinzie Brothers Steamer Line upon payment of fifteen cents a cubic yard—the Trustees to receive one-third and the Conservation Department two-thirds of the revenue from such lease.

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Mr. Bayless presented request from R. J. Simonson that the Trustees pay outstanding Everglades Drainage District taxes amounting to \$18.04 on land sold to him by the Trustees in May this year at a price of \$250.

Upon motion, seconded and adopted, the Trustees authorized payment of Everglades Drainage District taxes amounting to \$18.04 covering Lots A-56 and A-57, per supplemental plat of Section 18, Township 42 South, Range 37 East, Palm Beach County.

Application was presented from George H. Cooper, Princeton, offering \$10 for release of reservations contained in Deed No. 17100 covering the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 6, Township 57 South, Range 40 East, Dade County, the release being desired in order to secure a Government loan on the land.

Motion was made, seconded and adopted that reservations in Deed No. 17100 be released upon payment of 50 cents an acre, condition that in the event loan is not obtained reservations in the deed will revert to the state.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
October 17, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

Mr. F. N. K. Bailey of Sebring appeared before the Trustees with reference to the matter of State taxes on lands agreed to be conveyed to Clayton C. Townes in connection with Highlands Hammock State Park. Mr. Bailey stated that by special act of the legislature in 1935, all taxes except state were authorized to be cancelled on certain lands to be conveyed by the owners to the Trustees of the Internal Improvement Fund for park purposes. He informed the board that Mr. Townes had deposited the amount of money agreed upon in payment of the land but desired to get that part of the tax sale certificates represented by state taxes cancelled in order that the title would be cleared. Mr. Bailey stated that a Park Trustee had agreed to put up whatever amount of money was necessary to cover expense of examination of title so that the same would be satisfactory to Mr. Townes, and that the only thing standing in the way of completing the sale was the matter of State taxes.

The Trustees were of the opinion that when the deed was issued by the Trustees on behalf of the State, conveying all the right, title and interest in the said land, that such title would have the effect of conveying what right the State had in any tax lien as well as in the land. Mr. Bailey, however, requested that action be taken to cancel that part of certificates represented by State taxes in order that the tax records would be clear.

Mr. James N. Fielding, Attorney representing Mr. Townes, stated that it would be highly desirable to effectuate cancellation of the taxes in order that no technical question might arise concerning such taxes.

Thereupon motion was made by Mr. Knott, seconded by Mr. Mayo, that the Trustees recommend to the Comptroller that the tax sale certificates as to the State's part be cancelled.

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Financial Statement for the month of September is as follows:

#### FINANCIAL STATEMENT FOR SEPTEMBER, 1939 RECEIPTS

Receipts on account of various land sales .....	\$	727.71
Royalties on sand, shell and gravel .....		644.16
Grazing lease .....		12.51
Farm lease .....		282.98
Sale of rock .....		100.79
Refund account overcharge on car .....		6.90



Refund account insurance premium	
on car .....	4.20
Refund on account of taxes .....	30.00
Total receipts during month .....	\$ 1,809.25
Balance on hand September 1, 1939 .....	103,409.96
	<hr/>
	\$105,219.21
Less disbursements (itemized below) .....	2,982.23
	<hr/>
Balance September 30, 1939 .....	\$102,236.98

## RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	101,236.98
	<hr/>
	\$102,236.98

## BALANCES IN BANKS SEPTEMBER 30, 1939

The Atlantic National Bank, Jacksonville, Fla. ....	\$ 74,821.86
The Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	8,593.81
	<hr/>
	\$101,236.98

## DISBURSEMENTS

Date	No.	In Favor of	Amount
1939			
Sept. 22,	11501	M. C. McIntosh .....	\$ 19.15
	11502	F. E. Bayless .....	20.50
	11503	S. S. Savage .....	234.30
	11504	W. B. Granger .....	25.45
	11505	Standard Oil Company .....	3.22
	11506	American Oil Company .....	18.42
	11507	Goodyear Tire and Rubber Co. ....	29.35
	11508	Proctor & Proctor .....	14.87
	11509	Geo. O. Butler, C. C. C. ....	3.90
	11510	Palm Beach Post .....	12.00
	11511	F. A. Currie .....	15.00
	11512	D. S. Weeks, C. C. C. ....	1.90
	11513	County of Sarasota (taxes) ...	765.83
	11514	County of Palm Beach (taxes) ...	197.29
	11515	W. V. Knott, State Treasurer .....	151.77
22,	11516	W. V. Knott, State Treasurer .....	36.43
	11517	W. V. Knott, State Treasurer .....	71.32

	11518	James A. Ellis Co. ....	10.00
	11519	Florida Office Equipment Co. ....	1.25
	11520	Western Union Telegraph Co. ....	2.00
	11521	Postal Telegraph-Cable Co. ....	1.08
	11522	Southeastern Telephone Co. ....	12.20
30,	11523	F. C. Elliot .....	400.00
	11524	F. E. Bayless .....	275.00
	11525	M. O. Barco .....	175.00
	11526	Jentye Dedge .....	175.00
	11527	H. L. Shearer .....	50.00
	11528	Mrs. O. W. Sheldon .....	30.00
	11529	Mrs. C. W. McDonald .....	30.00
	11530	S. S. Savage .....	200.00
	Total disbursements for September		
	1939	.....	\$2,982.23

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
October 18, 1939

The Trustees of the Internal Improvement Fund met  
on this date in the Senate Chamber at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

The following bills amounting to \$506.69 were approved  
and warrants were ordered drawn in payment therefor:

M. C. McIntosh, Tallahassee, Fla.—Expense	
account .....	\$ 24.40
S. S. Savage, Ocala, Fla.—Expense account .....	242.35
W. B. Granger, Belle Glade, Fla.—Expense account .....	28.80
E. B. Leatherman, Clerk Circuit Court, Miami,	
Fla. ....	3.60
Review Printing Company, Miami, Fla. ....	27.00
Frank Karel, Sheriff, Orlando, Fla. ....	3.45
George O. Butler, C. C. C., West Palm Beach, Fla. ....	9.60
Guyte P. McCord, Clerk Supreme Court, Tallahas-	
see, Fla. ....	3.80

Board of Public Instruction, Baker County, Fla.	40.00
D. S. Weeks, C. C. C., Moore Haven, Fla. ....	24.35
Geo. O. Butler, C. C. C., West Palm Beach, Fla.	18.04
Proctor & Proctor, Tallahassee, Fla. ....	27.35
Standard Oil Company, Jacksonville, Fla. ....	13.90
American Oil Company, Jacksonville, Fla. ....	21.57
Capital Office Equipment Co., Tallahassee, Fla.	1.75
Railway Express Agency, Tallahassee, Fla. ....	.73
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	1.01
Western Union, Tallahassee, Fla. ....	4.49
Southeastern Telephone Co., Tallahassee, Fla. ....	8.50
F. C. Elliot, Engineer and Secretary—Postage ....	1.00
	<hr/>
	\$506.69

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
October 25, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

J. M. Lee, Comptroller.

Nathan Mayo, Commissioner of Agriculture.

The following bills amounting to \$1,285.05 were approved by the Trustees and checks were ordered drawn in payment therefor:

F. C. Elliot, Engineer and Secretary—October Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—October Salary .....	275.00
M. O. Barco, Clerk and Stenographer—October Salary .....	175.00
Jentye Dedge, Clerk and Stenographer—October Salary .....	175.00
H. L. Shearer, Clerk in Land Office—Part time—October Salary .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—October Salary .....	200.00
F. E. Bayless, Land Clerk—Expense account .....	10.05
	<hr/>
	\$1,285.05

Minutes of the Trustees for October 3rd, 17th, 18th and 25th, 1939, presented and approved.

Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
November 3, 1939

The Trustees of the Internal Improvement Fund met on this date in the Senate Chamber at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Grayden Thomas of Miami was present and requested that the Trustees withdraw protest to War Department Permit for dredging fill material from submerged bottoms around Virginia Key.

Mr. Elliot explained that in 1925 the Trustees sold the submerged areas now sought to be filled at a price of \$300 an acre and the purchasers understood that they would be allowed to dredge the adjacent bottoms for material to fill the tract, but there was no record made in the Minutes to that effect. Recently Mr. Grayden Thomas, successor in title to original purchasers, made application to the War Department for Permit to dredge fill material, and upon notice of such application protest was filed on behalf of the Trustees on the ground that the area from which the fill was to be taken belonged to the State. Mr. Elliot stated that he could see no objection to withdrawing protest to the permit as a portion of the land to be filled was covered by Trustees' mortgage, which secures an unpaid balance of the purchase price.

Discussion was had as to whether or not this was the same area which the City of Miami desired in connection with proposed harbor improvement and public bathing beaches, a portion of which was covered by Trustees' mortgage, which mortgage Mr. Thomas offered to purchase.



It was stated that a hearing was had April 11th which resulted in the Trustees decision, recorded April 25th, that unless balance due on the mortgage was paid in full that foreclosure proceedings would be instituted and that no sale would be made of the mortgage pending termination of foreclosure.

Mr. Thomas informed the Trustees that he had acquired all title of original purchaser and as soon as the War Department grants permit for the proposed improvement he will take up the Trustees mortgage; that when this mortgage was under discussion early this year he understood that he would not have to pay for anything but the area covered by the mortgage and that he would be allowed to take the fill material from the surrounding submerged land.

The Comptroller desired to know if the fill material would be deposited on the land under Trustees' mortgage. Mr. Elliot and Mr. Bayless explained that the War Department permit would specify where the fill would be placed and that a portion of it would be on land covered by the mortgage; also that the Trustees could not sell the submerged areas from which the fill is desired as they were covered by water of greater depth than three feet. The proposed dredging would be beneficial in cleaning out and deepening the channel at that point. Comptroller Lee was of the opinion that the Trustees claim would be much better if the material was placed on the land.

Attorney General Gibbs desired to know how the mortgage would be affected in case permit was granted and later transferred to other parties. Mr. Thomas stated that there would be no transfer and agreed that a clause be entered in the permit specifying that it was not transferable.

Attorney General Gibbs expressed himself as being opposed to taking any action until the matter could be taken up with officials of Miami and Dade County as they had been given to understand that no disposition would be made of the mortgage prior to foreclosure unless paid up in full. His request was that the attorneys for Miami and Dade County be contacted with a view to ascertaining whether or not granting of the permit would be opposed by them.

Mr. Thomas stated that he bought the land with the understanding that it could be filled; that taxes approximating \$4,000 were paid each year and he feels that his company is asking only what is right and fair and in line with the Trustees policy.

The Governor stated that he did not remember anything about the matter but was willing to do whatever the others agreed to, however, he thought they should have more information on the subject and suggested that action be deferred until they could go further into the question and take it up before the full board.

Mr. Tyrus Norwood, Assistant Attorney General, stated that Mr. Cody Fowler of Tampa had asked that he present to the Trustees the application of Byrne E. Bushnell of Hillsborough County for quit claim deed to Lots 1 to 14, both inclusive, of Block 10 of Harris Terminal S/D as per map or plat thereof, recorded in Plat Book 27, Page A-39 of the Public Records of Hillsborough County, said area being a part of lands conveyed by the Trustees April 2, 1860 to Jacob Summerlin and described as Lot 1 in the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  and N $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 17, Township 29 South, Range 19 East. The reason for such requested quit claim was because of the fact that under date of May 31, 1869 Bartholomew C. Leonardy, Collector of Revenue for Hillsborough County, issued a tax deed to the State covering the above described land, but the records in the Land Office do not show that the Trustees claim any title to the said land at the present time. The land was placed back upon the tax roll after the issuance of above tax deed and taxes have been paid thereon since that time.

Upon motion, seconded and adopted, the Trustees agreed to issue quit claim deed in favor of Byrne E. Bushnell to the lots above described upon payment of \$10. The Land Office was requested to prepare such deed for execution.

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor-Chairman,

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
November 14, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor  
J. M. Lee, Comptroller

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Information was furnished that numerous letters and telegrams have been received from the Lake Okeechobee region, protesting the closing to duck hunting of a certain area around Observation Shoal in Lake Okeechobee by the National Association of Audubon Societies.

It was explained that on December 28, 1938, the trustees adopted a resolution setting aside certain areas in Florida for the protection of wild life, to be administered by the National Association of Audubon Societies in cooperation with the State Game and Fresh Water Fish Commission, but it was not the intention of the Trustees that the area be closed to the hunting of ducks or other game birds or animals.

Upon discussion of the subject, and after hearing expressions from interested parties in the Lake Okeechobee section, it was the decision of the Trustees that the area designated in the resolution of December 28, 1938 as Number 5—Okeechobee Sanctuary—or such part thereof as the Department of Game and Fresh Water Fish shall determine, be open to the public for taking of game birds and animals under the State and Federal laws. Whereupon, the following Resolution was unanimously adopted:

#### RESOLUTION

WHEREAS, Pursuant to RESOLUTION adopted by the Trustees of the Internal Improvement Fund on December 28, 1938, there were set aside certain areas in Florida designated as Numbers 1 to 5, both inclusive, with their names designated, to be administered by the NATIONAL ASSOCIATION OF AUDUBON SOCIETIES FOR THE PROTECTION OF WILD BIRDS AND ANIMALS, INCORPORATED, which said areas were for the protection of wild life and more especially for breeding grounds of birds frequenting such areas; and

WHEREAS, it was not the intention of the Trustees of the Internal Improvement Fund to close the said areas to the legal taking of wild ducks; and

WHEREAS, it has been called to the attention of the Trustees, and the said Trustees have information from reliable sources, that one of the areas known as Number

5, OKEECHOBEE SANCTUARY, has been closed by said Association to the taking of wild ducks therein, now therefore,

BE IT RESOLVED by the Trustees of the Internal Improvement Fund that the Department of Game and Fresh Water Fish shall determine what areas of said reservations, or all thereof, shall be opened to the taking of game birds and animals, and that the said Department be requested to take immediate steps to that end.

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Application was presented from Southeastern Pipe Line Company of Atlanta, Georgia, a Delaware Corporation authorized to do business in Florida, for permit to construct, maintain and operate a pipe line for transmission of gasoline, kerosene and other petroleum products, to be located in the bed or bottom of the Apalachicola River between the counties of Gadsden and Jackson and crossing the river at or near Chattahoochee. The strip desired is eight (8) feet wide, starting at a point on the north line of Government Lot 3, Section 6, Township 3 North, Range 6 West, Jackson County, and continuing across the river at the East bank thereof in Section 32, Township 4 North, Range 6 East, Gadsden County.

Upon discussion, motion was made, seconded and adopted that for and in consideration of the sum of \$500 annually, paid in advance, the Trustees will grant permission to the Southeastern Pipe Line Company of Atlanta, Georgia, for construction of a pipe line across the bed or bottom of the Apalachicola River as above outlined. Execution of permit was ordered upon payment of \$500.

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Mr. Elliot reported that following the meeting of November 3rd, at which Mr. Grayden Thomas requested that the Trustees withdraw objection to War Department Permit in favor of his Company, notice has since been received from the War Department that Mr. Thomas, representing Carlor Company, Inc., and Virginia Key Company, has amended his application for permit to dredge fill material adjacent to Virginia Key and has eliminated all areas to which the Trustees had made objection.

Motion was made, seconded and adopted, that the Trustees do not interpose objections to amended application or Carlor Company and Virginia Key Company for War Department Permit, dated November 7, 1939, for dredging fill material adjacent to Virginia Key.

The Secretary was requested to notify the Engineer Office, Jacksonville, of action taken as above.



## REFERENCE TO LANDS UNDER CHAPTER 18296 — MURPHY ACT

Attorney General Gibbs reported that the United States District Court for the Southern District had upheld the State Supreme Court in condemnation proceedings against lands in Citrus County, which lands reverted to the State under Chapter 18296, Acts of 1937, and that two checks—No. 5970 for \$70.26 and No. 5971 for \$962.50—had been received in payment for such land.

The Trustees directed that the checks be accepted and deposited to the proper account.

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Mr. Elliot reported that pursuant to information from the Attorney General's office, notice had been sent to approximately twenty interested parties that the Trustees would hold a meeting November 20th, 1939, for the purpose of discussing a plan of procedure for disposing of lands under the Murphy Act. Also news item was read with recommendation that it be given to the newspapers in order that the public generally have notice of the proposed hearing.

Motion was made, seconded and adopted, that Mr. Elliot furnish the Press with the State with statement giving notice of the meeting.

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## TRUSTEES MATTERS

Mr. H. J. Driggers of Fort Lauderdale presented application for himself, Sheriff Walter H. Clark, and associates, for oil lease on State land in Dade County. The areas desired being described as 25,000 acres to each party, located in Townships 52 and 54 South, Range 35 East, and in Township 54 South, Range 36 East.

Mr. Driggers stated that they had been assured of financial backing in the drilling of wells if evidence could be shown that leases would be allowed on the lands applied for; that there would be no selling of leases as this was not a speculation proposition, and the Trustees would be furnished with samples of coring and a log of the well as drilled.

At the suggestion of the Governor, Mr. Driggers was requested to consult with Mr. Elliot and Mr. Bayless with reference to submitting an amended application, omitting alternate sections of land as the Trustees were in favor of withholding from lease these alternate sections for the benefit of the State.

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The Governor reported to the Trustees that he was being urged by the Federal Government, as well as State

and local agencies, to make available from the General Revenue Fund a certain sum of money to assist in fire and water control in the Everglades region, but has informed them that funds are not sufficient to allow this expenditure. It was suggested by the delegation that since the Trustees of the Internal Improvement Fund own a large portion of the lands in that area that an estimated amount of \$3,000 monthly for five months be allocated for the work. Information was furnished that the Federal Government will spend \$75,000 annually in providing equipment, constructing dykes, ditches and other necessary control works for coping with the fire condition in the Everglades.

In a discussion of the subject expression from some of the members was that if it was decided to make available any funds for this work, such funds should come from the Trustees rather than the General Revenue as the benefit would be to the lands of the State.

Motion was made, seconded and adopted that the matter be referred to the Attorney General for investigation and report as soon as possible.

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The following bills amounting to \$517.76 were approved and checks ordered drawn in payment therefor:

M. C. McIntosh, Asst. Atty General—Expense Account .....	\$ 70.15
F. C. Elliot, Engineer & Secretary—Expense Account .....	24.31
S. S. Savage, Field Agent, Ocala, Fla.—Expense Account .....	257.94
W. B. Granger, Belle Glade, Fla.—Expense Account .....	29.25
Tyrus A. Norwood, Asst. Atty. Gen.—Expense Account .....	17.26
O. L. Maddox, Port St. Joe, Fla.—Survey Work .....	54.00
Standard Oil Company, Jacksonville, Fla. ....	13.71
American Oil Company, Jacksonville, Fla. ....	15.30
Proctor & Proctor, Tallahassee, Fla. ....	14.05
Rose Printing Co., Tallahassee, Fla. ....	14.00
Western Union, Tallahassee, Fla. ....	1.29
Southeastern Telephone Co., Tallahassee, Fla. ....	6.50
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	\$517.76

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Financial Statement for the month of October is as follows:

# FINANCIAL STATEMENT FOR OCTOBER, 1939

## RECEIPTS

Receipts on account of various land sales .....	\$ 1,400.33
Land sales under Chapter 14717, Acts of 1931 .....	10.00
Farm leases .....	400.39
Grazing lease .....	40.01
Sawgrass lease .....	.75
Lease on reclaimed lands .....	18.75
Quit Claim to lake bottom lands .....	7.50
Quit claim to reservations in Deed No. 17100 .....	15.00
Quit claim to canal reservations in Deed No. 16588 .....	18.75
Royalties on sand, shell and gravel .....	529.22
Total receipt during month .....	\$ 2,440.70
Balance on hand October 1, 1939 .....	102,236.98
	<hr/>
	\$104,677.68
Less disbursements (itemized below) .....	1,790.74
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Balance October 31, 1939 .....	\$102,886.94

## RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in Banks .....	101,886.94
	<hr/>
	\$102,886.94

## BALANCES IN BANKS OCTOBER 31, 1939

The Atlantic National Bank, Jacksonville, Fla. ....	\$ 74,914.05
The Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	9,151.58
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	\$101,886.94

## DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
Oct. 19,	11531	M. C. McIntosh .....	\$ 24.40
	11532	S. S. Savage .....	242.35
	11533	W. B. Granger .....	28.80
	11534	E. B. Leatherman, C. C. C. ....	3.60

	11535	Review Printing Co. ....	27.00
	11536	Frank Karel, Sheriff .....	3.45
	11537	George O. Butler, C. C. C. ....	9.60
	11538	Guyte P. McCord, Clerk Supreme Court .....	3.80
	11539	Bd. of Public Instruction, Baker County .....	40.00
	11540	D. S. Weeks, C. C. C. ....	24.35
	11541	Canceled .....	
	11542	Proctor & Proctor .....	27.35
	11543	Standard Oil Company .....	13.90
	11544	American Oil Company .....	21.57
	11545	Capital Office Equipment Co. ....	1.75
	11546	Railway Express Agency .....	.73
	11547	Postal Telegraph-Cable Co. ....	1.01
	11548	Western Union Telegraph Co. ....	4.49
	11549	F. C. Elliot .....	1.00
	11550	Southeastern Telephone Co. ....	8.50
	11551	Everglades Drainage District .....	18.04
31,	11552	F. C. Elliot .....	400.00
	11553	F. E. Bayless .....	275.00
	11554	M. O. Barco .....	175.00
	11555	Jenty Dedge .....	175.00
	11556	H. L. Shearer .....	50.00
	11557	S. S. Savage .....	200.00
	11558	F. E. Bayless .....	10.05

Total disbursements for October, 1939 \$1,790.74

Motion was made, seconded and adopted, that the Attorney General be authorized to deliver to L. R. Baker, Attorney of West Palm Beach, on behalf of his client, Emery J. Thomas, abstract of title to property recently foreclosed by the Trustees and which Mr. Thomas purchased at foreclosure, the cost of such abstract having been included in the sale.

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.



Tallahassee, Florida,  
November 20, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller,  
W. V. Knott, Treasurer  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Mr. R. E. L. Chancey, Mayor of Tampa, presented request of the City of Tampa for easement over the bottoms of a certain portion of Hillsborough Bay, which application was first submitted to the Trustees September 27th, requesting easement over approximately 73½ acres of bay bottoms in Section 1, Township 30 South, Range 18 East; in Section 6, Township 30 South, Range 19 East, and in Section 31, Township 29 South, Range 19 East, Hillsborough County. Mr. Chancey stated that this area was necessary in the construction by the Government of a Seaplane Base for Tampa to be located adjacent to Peter O. Knight Airport on Davis Island; that Congress had appropriated money to construct a breakwater for protection of seaplanes; that the funds have been allocated and the engineers are ready to proceed with the work as soon as the City can furnish easement over the Bay bottoms.

Maps were displayed showing the location of the proposed Base, together with another area applied for in connection with the Spanish American War Memorial which the City desires to develop in connection with the Seaplane Base. Mr. Chancey suggested that if the Trustees were not ready to act on the Spanish American War Memorial area at this time, consideration could be given to that application at a later date, but urged that the Bay bottoms be made available so that the Government could commence work on this project with an estimated expenditure of more than \$96,000.

Upon consideration of the application, motion was made by Comptroller Lee, seconded and adopted, that the Trustees grant request of the City of Tampa for easement over the Bay Bottoms required in connection with construction

of Seaplane Base, such action to be conditioned upon investigation and approval of the Attorney General.

Motion was also made, seconded and adopted, that application for the area desired in connection with the Spanish American War Memorial be held for further consideration at some later date.

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DISCUSSION WITH REFERENCE TO LANDS  
VESTING IN THE STATE UNDER  
CHAPTER 18296  
THE MURPHY ACT

This date was set by the Trustees for receiving information and suggestions from interested parties on a plan of procedure for disposing of lands coming to the State under Section 9 of Chapter 18296—the Murphy Act.

Attorney General Gibbs stated that the Trustees were ready to hear from those present with reference to constructive suggestions for carrying out the law, which instructed that the land be sold to the highest and best bidder for cash upon such rules and regulations as may be formulated by the Trustees of the Internal Improvement Fund. Disposal of the funds was not under consideration at this time. That opinion of the Supreme Court has held that title to these lands vested in the State free of all liens, including bond holders, taxing districts, municipalities, and all other liens, and acting on such opinion the Trustees are now concerned with method of sale.

The Governor informed those present that the Trustees would be as lenient as possible with home owners and those having an equity in the land, and in order to get suggestions as to how to handle these sales the Trustees would be glad to hear from those present.

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Mr. J. W. Campbell, Mayor-elect of Palatka, read a prepared statement setting forth Palatka's suggestions on the Murphy Act lands, which statement contained substantially the following:

The City of Palatka refunded its bonded debt by issuing \$1,200,000 of bonds at 4% interest; also issued \$116,000 of Tax Refunding notes to take care of defaulted interest payments prior to 1935; increase of tax collections from 49½ in 1934 to 72% in 1938. The City needs approximately \$26,000 to pay off Tax Refunding notes to avoid additional millage which the tax payers cannot stand. 80% of delinquent taxes represent paving liens. An act

of the 1939 legislature authorized compromise of paving liens but before program could be carried out, title to the land vested in the State under the Murphy Act, representing 1500 lots with State and County taxes amounting to \$77,000 and City taxes of \$223,000.

Request is made that the Trustees of the Internal Improvement Fund advertise these City lots and allow the City to buy them in at a nominal sum, whereupon the City will make such lots available to former owners, or those who have an equity therein, on a basis that would enable the City to realize from 12% to 15% of its taxes and the State would receive more than it would have if the land had been redeemed under the Murphy Act. If the lots are sold to others than the City it will seriously damage if not ruin real estate values in Palatka and force the City to further penalize the tax payers by levying additional millage to retire the tax refunding notes.

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Mr. Wm. P. Allen, of the firm of Keen and Allen, Attorneys of Tallahassee, representing the City of Miami, presented application heretofore submitted requesting advertisement and sale of certain lots which vested in the State under Chapter 18296, and which the City of Miami desires in connection with its Airport development.

Mr. Allen was assured that as soon as the Trustees have worked out a plan of procedure the application of the City of Miami will be given careful consideration.

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Mr. James Messer, Jr., of Tallahassee, representing the League of Municipalities, made substantially the following statements:

That Mr. Bill Madison of Jacksonville was to appear before the board, but on account of illness could not be here. That the league as a body is not prepared to make suggestions at this time but a meeting is scheduled for December 8th and 9th for the purpose of considering this matter. Pending such meeting, the League requests that no definite decision be made on this subject till after the above dates, and also until the Supreme Court has taken action on application for rehearing on certain phases of the Murphy Act, especially in reference to liens of municipalities.

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Mr. W. D. Jones, Jr., Jacksonville, on behalf of Duval County Air Base Authority, made, substantially the following statements: That within the area selected by the

Navy Department for the Air Base at Jacksonville are certain lands which have vested in the State under the Murphy Act; that the Air Base Act provides that where State lands are involved it is required that notice be filed with the Secretary of State that such lands are desired; that this notice is now being prepared. It is requested that the Trustees agree to give confirmatory deed to such parcels as might be within the terms and provisions of the Murphy Act. No City taxes outstanding against lands in the Air Base area.

Comptroller Lee desired to know if only Murphy Act lands were within the area selected for Naval Air Base, to which Mr. Jones replied that part of the land would come under the Murphy Act, but there was also some sovereignty land.

Mr. Lee asked if the Trustees could legally issue deed as requested without advertising and selling as required by the Act. Mr. Jones answered that the Air Base Act was passed in 1939 and the Legislature had knowledge of the Murphy Act at the time; also that the application of the Murphy Act was taken care of by Sections providing for repeal of all laws in conflict with the Air Base Act.

Mr. Knott suggested that Mr. Jones furnish the Trustees with description of sovereignty lands owned by the State within the selected area. Mr. Jones stated that such list was being prepared and would be forwarded as soon as completed.

Senator Walter W. Rose of Orlando, on behalf of the Florida Association of Real Estate Boards, made substantiantially the following statements: That his organization was not here to tell the Trustees how to handle these lands, but to help solve the problems; that other members of the Association were present, including S. H. Bowman, the President, James R. Stockton, M. M. Parrish, State Director for Federal Housing Administration, Richard Knight, Home Owners Loan Corporation representative, and would like to have their views on the subject. That he was much concerned over two phases of the subject—one being the question of property owners having first right to buy their property, and the other, the wholesale dumping of these lands on the market. That he believes the lands are an asset and the State should get the market price for them; that if advertised in wholesale lots and sold to the highest bidder, there would be danger of ruining the real estate market and would tend to penalize the man who has been paying taxes for years.



Mr. M. M. Parrish, State Director for FHA, made substantially the following statements: That he was not present in his official capacity but in the interest of the citizens of Florida who already have loans under the FHA and also for future citizens who want to become home owners. Believes it would be unfair to advertise the lots on wholesale scale as it would surely destroy property values which have been built up during the past few years; that one of the purposes of the FHA was to stabilize the real estate market in this State; that lot values are now established in the various cities at a fair and reasonable basis; that if these values are destroyed by land sales under the Murphy Act it will be impossible for FHA to insure additional mortgages except on a greatly reduced basis; orderly disposition of these lands is one of the greatest problems of the State, and it is hoped that nothing will be done to destroy the values that exist in residential property in the State.

Mr. Richard Knight, representative of Home Owners Loan Corporation, made substantially the following statements: That his corporation has done everything possible to stabilize real estate values in the State; that it has been their policy not to sell at reduced prices, property which has been taken over by the Corporation on account of inability to keep up loan payments but have held them at market prices in order to stabilize real estate values. It was his opinion that if the Trustees sell Murphy Act lands at lower prices it will reduce values on property on which loans have been made by the Government and thereby tear down the entire structure.

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Mr. S. H. Bowman, President of Florida Association of Real Estate Boards, made substantially the following statements: That he thinks the situation is much deeper than at first recognized; that his county is completing details for refunding bonds; that about \$150,000 of \$1,250,000 assessed valuation has been forfeited to the State under the Murphy Act, and if sold at sacrifice values he believes the town of Clermont will be unable to get assistance from the FHA, which will reflect on values in the community. That all news about Florida, especially unfavorable news, is given headlines over the country and if it becomes known that real estate values are down it will have a bad effect on prospective buyers from other parts of the country; that thousands of people in default on tax payments are not familiar with method of collections in Florida. It has been the policy in the State to give special consideration to the owner of property and

it seems a moral obligation to give these people the benefit of any regulations by which they may recover their property.

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Mr. Hardin of Bradenton stated that he wanted to bear out what others had said; that Bradenton purchased all outstanding Murphy Act certificates within the city limits; Palatka's Mayor asks that these certificates be sold at a nominal price. If this is done it will throw the burden on municipalities that have borrowed money to protect their interests. Urgently request that real estate values be preserved.

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Senator Walter W. Rose stated that he did not know what the attitude of the Trustees would be, but he did not want the real estate market to be demoralized just when it was trying to make a come back; that if land is sold at fair market values in the cities, real estate values will remain stable.

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Mr. J. A. Ormond of Marianna, representing Florida Title Association, made substantially the following suggestions:

1. That where taxes have been paid for a reasonable number of years—say 12 years—it shall be presumed that any tax prior thereto has been overlooked and not been paid through error.
2. That the owner shall be given the right to buy the lands from the Trustees for the amount of the certificates plus such costs as may be incurred by the Trustees; that a notice be published in a newspaper in each county notifying the former owner that for a period of six months he will be given preferential consideration. That the lands pass with clear titles, but in case of error money should be refunded to purchaser.
3. What shall become of certificates after deed has been issued? Thinks such certificates should be retained by the County and kept as a record of such county.

Mr. Ormond further stated that his organization wanted to cooperate with the Trustees, and offered the services of the title men of Florida in cases where it would be necessary to make search of title. Assured the board that all fees charged would be nominal and that such fees would not have to be paid until the land was sold; has observed that Home Owners Loan Corporation does not require title search to go back further than 30 years.

Mr. Ormond urges that the interest of the Title Companies of the State be given consideration along with agencies holding mortgages on these lands.

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Mr. Tate Powell of Macclenny, representing the Florida Press Association, requested that sales of land under the Murphy Act be given adequate publicity through the newspapers of the State and not just post notices at the Court House, as such posted notices would not properly advertise the land. Thinks preference to purchase should be given original owner. He stated that the Press of the State will be glad to publish certain notices as news items without cost, and will cooperate in every way possible; recommends procedure be that property owner wishing to buy certificates make application to the Clerk, have the land advertised in the newspapers, giving amount of bid, which bid shall be approved by the Trustees, and if accepted by the Board, sale be made through the Clerk of the Circuit Court.

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Comptroller Lee stated that he and Mr. Mayo were present at the recent Press Association meeting when a resolution was adopted requesting that sales be published in newspapers of the State and information through that source be given to property owners in order to avoid any mistake in making sale.

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Mr. Byron Elinor of Havana, Florida, stated that he understood sales would not be made till all lists were in, and he wanted to advise the Board that in talking with Mr. Morgan, Clerk of the Circuit Court of Gadsden County, he had been informed that the Clerk of that County did not intend listing the Murphy Act Certificates for the fee offered by the Trustees.

Mr. Elinor reported that his County was in good condition and had very little land under the Murphy Act, but there was some of an urgent nature and he desired to know if there was some way by which the Trustees could get this list if the Clerk refused to make it.

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Mayor R. E. L. Chancey of Tampa, made substantially the following statements: That Tampa Murphysed all lands within the City; that it has always been the public policy of the State to get rid of sour stuff in Florida, so far as delinquent taxes were concerned, and in line with such policy is sure the Trustees will want to dispose of these lands as fast as possible; that the attitude of the

State in giving preference to former owner is quite fair and just; suggests that the former owner be required to do something about redeeming his land within a reasonable time, then if he fails to buy let the private lien-holder come in and buy. If he is not interested then let the local units have a chance at it, but if those parties are not interested in buying then open it to the speculators, or anyone who will buy, and get the land back on the tax roll so the property owners who have paid taxes all along will benefit by these lands getting back into private ownership and bearing their portion of taxes.

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Mr. E. R. Bennett, Clerk of the Circuit Court of Broward County, made substantially the following statements: That his county would have about as many certificates as any county in the State; that the list was being prepared and would soon be transmitted to the Trustees; that he proposed to make mimeograph copies and sell such copies to parties interested in buying these lands. Suggest that sale of lands be based on 1939 tax assessment; that since the Clerks have all data available that details be left with the Clerks of the various counties. Fix a minimum bid based on the 1939 tax assessment and require bidder to put up a certain per cent of that bid, together with necessary fees, advertising costs estimated to be about \$1, and searching fees; notify person who last paid taxes on the land, giving owner a chance to come in and buy the land. Allow applications to be received till the 28th day of the month, then run one big advertisement with notice that sale will be held on the first Rule Day in the month and sell to the highest bidder. In doing that attempt is made to contact original owner.

Mr. Bennett stated that his County has highly subdivided and thousands of small lots sold during the boom; that drainage taxes have accumulated along with other taxes and lands have been abandoned. Suggest that former owner, or party who last paid taxes be given an opportunity to purchase and if not sold, then let others come in and buy up the lots.

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Mr. H. M. Forman of Napoleon B. Broward Drainage District, made substantially the following statements: That he approved the plan submitted by Mr. Bennett and suggests that if this plan could not be worked out that some plan be adopted as soon as possible as these lands have been off the tax rolls so long it is working an injustice on those who do pay taxes and handicapping progress of the District; that many land owners in the district are not paying



taxes when they are able to do so, but taking the position that since others do not pay it is not necessary for them to. One man in the District, well able to pay taxes, takes the position that the State cannot make him pay; that if something could be done to force property owners of that class to pay their taxes, and then sell the Murphy Act lands to individuals who would pay taxes, it would be a great thing for the district. The District has been re-financed and is anxious to avoid becoming delinquent in payments.

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Mr. M. M. Parrish asked to be permitted to make further statements which were substantially as follows: That the Trustees decide on a formula to be used for every individual and not do one thing in one county and something else in another. Treat everyone alike. If the owner fails to take up the land, then let the next man—the mortgage holder—have a chance at it; then the next creditor or political subdivision, but have a definite formula that will fit each and let it be uniform all over the State; if that course is followed believes it will be satisfactory to everyone.

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The Attorney General asked Mr. Parrish to put his suggestions in writing and submit to the Trustees, as they would like to have them for consideration. All others were requested to submit their suggestions in writing that they might be studied when the Trustees come to make decision as to procedure.

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Mr. S. M. Sparkman, representing Mrs. Myrtle Culbreath, Clerk of the Circuit Court of Hillsborough County, offered substantially the following statements: That the former owner be given preference in purchasing land under the Murphy Act; that the term "highest and best" should not be considered alone on the basis of the most money offered for the land, but in deciding on the best bid consideration should be given the home owner in preference to a speculator; that the list of certificates from Hillsborough County was in process of being made and would be sent up soon; that they were going to try and keep these lists from speculators and assured the Trustees that the Clerk's office of Hillsborough County would cooperate in every way possible.

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Mr. T. L. Cross, representing the City of St. Petersburg, stated that his town was in a bad fix as they had about ten thousand lots with paving liens against them, a large num-

ber of which vested in the State under the Murphy Act; that if procedure outlined by the Clerk of Broward County could be followed, his town would have opportunity to step in and protect themselves in the lands; that all they want is the opportunity to save what they could not heretofore save; that if allowed opportunity to protect the City's interest when sales are made, arrangements can then be carried out with home owners desiring to clear up these paving liens.

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Attorney General Gibbs stated that the fullest notice would be given to all sales and it was understood that sales would be held in counties where the land was located.

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Mr. E. P. Veal, representing the U. S. Forest Service, Tallahassee, made substantially the following statements: That the Forest Service has options to buy lands from original owners who have allowed such lands to come to the State under the Murphy Act; that it would be desirable if the Clerks could certify list of certificates on these certain parcels to the Trustees and thereby facilitate the United States in getting this land cleared up; that they are interested in nine counties in the State; that if some method could be worked out to let the former owners take up these taxes, it would help the former owner and be of great assistance to the U. S. Forest Service.

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Attorney General Gibbs suggested that the U. S. Forest Service send in list of lands in which interested and when the Clerks lists come in Mr. Elliot will have the information to check the various parcels.

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Mr. Edgar Blake of Quincy stated that he represented a client who was employed by a corporation and through error one parcel of the corporation's land had been allowed to come to the State under the Murphy Act; that he would like to be advised how soon this land could be bought in and what the procedure will be.

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The Attorney General informed Mr Blake that if he would send in list of the land in which he is interested, it would be given careful consideration as soon as rules and regulations were adopted.

Mr. M. H. Moyer of Fort White made substantially the following statements: That he thinks everyone will concur with the Trustees in favoring home owners who have not paid taxes, but does not think anyone will approve of

them being allowed to get off without paying something for the land. Thinks the Trustees would do well to have a survey of the lands coming to the State under the Murphy Act—not send an appraiser to each parcel, but make a general survey—in order to be informed as to the value of the land; that in Duval and Palm Beach Counties, of the land subject to the Murphy Act 98% in value has been Murphyized, and of the number of parcels left 80% is under \$1.60 and \$1.95 certificates; that all of the best land was redeemed prior to June 9th—the tax rolls having been carefully combed for lands of any value—and it is only the sourest stuff possible that the State holds.

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Senator Rose stated that Mr. Moyer's statements might be true in some counties, but as a whole were not correct; that some of these lands in other counties of the State sell for \$300 an acre and if the Murphy lands are dumped on the market at low prices, it will further destroy this industry which is the greatest in the State. Requests the Trustees to use all precaution in preserving the real estate values that exist today.

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Mr. J. C. Moore, Deputy Clerk of Duval County, stated that the City Attorney of Jacksonville would protect the city's liens when lands are sold in that County; that there are only about 100 pieces of land in Duval County that could be sold under the Murphy Act, and none of it very good, including that within the City limits of Jacksonville; that about twenty thousand certificates would be listed in Duval County and among that number may be two or three lots of city property, the majority being wild, unimproved property. Mr. Moore also stated that if there was any chance of locating the former owner, or the party last paying taxes, he would be notified by the Clerk's office when application is made for his land, also that notice would be given the mortgagee.

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Mr. Richard Knight of the Home Owners Loan Corporation stated that the character of land in most of the South Florida Counties was different to that in Duval and some other counties; that they have a different proposition down there and much of the land under the Murphy Act is valuable property.

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The Governor assured the delegation that every consideration would be given to the suggestions made and that the Trustees would take action at an early date on plan of procedure for sale of the Murphy Act lands.

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
November 21, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor  
W. V. Knott, Treasurer  
George Couper Gibbs, Attorney General  
Nathan Mayo, Commissioner of Agriculture

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Mr. Mayor presented the application of R. E. Buchard, LaBelle, with offer of \$3000 for pine timber on Section 7, Township 46 South, Range 31 East, Hendry County. Estimate of Mr. Savage, Field Agent, was \$2,886.80 for the timber applied for.

Upon motion seconded and adopted, the Trustees agreed to issue timber lease to Mr. Burchard for taking the pine timber from Section 7, Township 46 South, Range 31 East, upon payment of \$3000 cash.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
November 28, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor  
J. M. Lee, Comptroller  
W. V. Knott, Treasurer  
George Couper Gibbs, Attorney General  
Nathan Mayo, Commissioner of Agriculture



F. C. Elliot, Engineer and Secretary  
F. E. Bayless, Land Clerk

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Motion was made seconded and adopted that the reading of the Minutes dated November 3rd and 14th, 1939, be deferred.

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Mr. Elliot presented offer of \$75 from E. A. Garner, Chief of Police of Sarasota, for the purchase of Lot 13, Block A, S/D of Grove Heights, Sarasota. It was explained that this lot came to the Trustees through foreclosure of Certificate No. 2554 under Chapter 14572, Acts of 1929, and the amount of decree was \$52.39.

The Trustees being of the opinion that this lot was worth more than the amount bid, declined to accept offer of Mr. Garner.

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Application was presented from Mr. Gerry Miller, Ft. Lauderdale, on behalf of client, offering \$5 an acre annually for lease on Tract 6, Section 25, Township 50 South, Range 41 East, Broward County. It was explained that the Trustees hold this tract by virtue of Drainage Tax Certificate No. 3103 of August 6, 1928, amounting to \$151.23, and information has been furnished that muck is being taken off the land.

Motion was made seconded and adopted that the Trustees lease Tract 6 as described to client of Mr. Miller for a period of one year upon payment of \$5 an acre in advance, conditioned that lessee agrees to protect the land from trespass.

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The Secretary presented application from Ford W. Heacock of Sebring, on behalf of Thomas Stanyon, offering \$9.94 an acre, or a total of \$24.85, for the E- $\frac{1}{8}$  of W $\frac{1}{2}$  of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 6, Township 44 South, Range 36 East, containing 2 $\frac{1}{2}$  acres in Palm Beach County, which land is covered by Drainage Tax Certificate No. 501 of 1927 amounting to an average of \$8.94 an acre.

Motion was made seconded and adopted that the Trustees decline offer of \$24.85 but it was agreed to accept \$35 cash for the State's equity in Certificate No. 501 covering 2 $\frac{1}{2}$  acres applied for by Mr. Stanyon.

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Application was presented from the War Department, U. S. Engineer Office, Jacksonville, Florida, requesting grant of spoil disposal areas for use in connection with

improvement of Courtenay, Florida, side channel and basin, which areas are indicated-as:

Spoil Area "A", being submerged land lying in Indian River, Brevard County, in unsurveyed Sections 28 and 29, Township 23 South, Range 36 East—22.56 acres;

Spoil Area "B", being submerged land lying in Indian River, Brevard County, in unsurveyed Section 28, Township 23 South, Range 36 East—20.32 acres;

Spoil Area "C", being submerged land lying in Indian River, Brevard County, in unsurveyed Sections 27 and 28, Township 23 South, Range 36 East—22.96 acres.

Spoil Areas "A", "B", and "C", are shown on Sheet 1 of Map entitled "COURTENAY CHANNEL, 8-FOOT PROJECT, PRECONTRACT SURVER" of the U. S. Engineer Office, Jacksonville, Florida, File No. 3-13-12,448

The Secretary reported that the request was in conformity with other applications by the War Department, and that form of easement grant had been previously passed on by the Attorney General.

Motion was made seconded and adopted that the Trustees grant request of the War Department for Spoil Areas described, necessary in connection with improvement to Courtenay, Florida, side channel and basin.

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The Trustees deferred action on request for dedication of certain areas to become a part of Myakka River State Park.

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Letter from Mr. Ben Herr, addressed to the Attorney General, was read reporting progress of claim presented by him on behalf of the Trustees for reimbursement by the United States of expenditures in connection with Bacom Point Culvert constructed in Pelican Bay.

The letter contained information that on May 16, 1939 the Trustees authorized Mr. Herr to present claim of the Trustees for reimbursement of expenses incurred in the construction of Pelican Bay Culvert, and as a result the District Engineer advised Mr. Elliot on November 1st that reimbursement had been authorized. Mr. Herr states that it is expected that a warrant will be issued to the Trustees within a short time and desires to know if the Trustees would feel inclined to compensate him for his services, suggesting an amount equal to 10% of the claim.

Upon discussion, motion was made seconded and adopted that upon receipt of warrant from the United States making reimbursement for Pelican Bay structure, the Trustees give consideration to compensation to Mr. Herr for services rendered.

Mr. Walter R. Clark and Mr. H. J. Driggers of Ft. Lauderdale, presented amended application for oil lease covering alternate sections of State land in Township 54 South, Range 35 East, Dade County, the area desired containing 28,800 acres.

Upon information that the Committee appointed by the Governor sometime ago was about ready to make report as to conditions of lease, motion was made seconded and adopted that the Governor appoint a committee to confer with Messrs. Clark and Driggers and report back to the Trustees as soon as possible.

Acting on the motion, the Governor appointed Messrs. Gibbs, Knott and Elliot as a Committee to confer with applicants and report recommendations to the Trustees.

The following bills amounting to \$1,465.86 were approved and checks were ordered issued in payment therefor:

F. C. Elliot, Engineer and Secretary—	
Nov. Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—Nov. Salary .....	275.00
M. O. Barco, Clerk and Stenographer—	
Nov. Salary .....	175.00
Jentye Dedge, Clerk and Stenographer—	
Nov. Salary .....	175.00
H. L. Shearer, Clerk in Land Office—part	
time—Nov. Salary .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—	
Nov. Salary .....	200.00
M. C. McIntosh, Asst. Atty. General—	
Expense account .....	25.75
Tyrus Norwood, Asst. Atty. General—	
Expense account .....	50.21
S. S. Savage, Field Agent—Expense account.....	114.90
	<hr/>
	\$1,465.86

WITH REFERENCE TO LANDS VESTING IN THE  
STATE UNDER CHAPTER 18296, ACTS  
OF 1937—MURPHY ACT.

The Secretary reported that a Committee of Clerks of the Circuit Courts had requested a meeting with the Trus-

tees for discussing a plan of procedure in connection with sale of Murphy Act lands.

It was the unanimous opinion of all members that immediate action should be taken on emergency cases where land had been applied for under Chapter 18296.

Comptroller J. M. Lee made a motion that the Trustees immediately proceed to advertise all certificates in Dade County coming under the Murphy Act for sale on the first Tuesday in January; that such advertisement be published in a newspaper of general circulation in the County and be in form similar to that used by the counties in advertising tax delinquent lands.

Mr. Lee made the following statements with reference to his motion: That these lands have been in the State since June and nothing definite has been done toward holding sales; that several hundred people in Dade County, as well as in other counties, are vitally interested in this question; that if Dade County certificates are advertised and sales started, the Trustees will be able to formulate rules and regulations as they go along; suggests that the former owner be given opportunity to purchase property for amount of taxes and costs, but not allow speculators this privilege; advertise in a newspaper and hold sales for 90 days, during which time Trustees could be working out problems that come up.

Comments from other members on motion of Mr. Lee were substantially as follows:

Mr. Mayo: Thinks the Trustees should make rules and regulations before starting sales, but urges that action be taken immediately. Does not think all certificates in Dade County should be advertised at one time, but that selection be made of applications of an urgent nature and advertise those for sale first.

Governor Cone: Suggest reservation in all deeds providing for right of way for State roads. In many instances State Road Department has to pay high prices for property. Thinks it would be inadvisable to advertise all certificates in a large county like Dade, but suggests advertising where applications have been received that appear to be of an emergency nature. Such applications like that of the City of Miami, City of St. Petersburg and others of similar importance to be advertised first.

Mr. Lee requested that action be taken on his motion. Whereupon vote was called for and the motion failed of adoption by vote of four to one.

Attorney General Gibbs suggested that it would be wise to have applicants furnish abstract of tax title so that the



Trustees would know what kind of title they were conveying; give notice that bids would be received before the 15th of the month; have the Clerk, as agent for the Trustees, send bids and if highest and best bid acceptable, issue deed. Before advertising make examination to determine whether certificate is worthless—if not proceed to sell the land.

The Attorney General incorporated his suggestions in a motion as follows: Receive applications from persons interested in any particular land covered by the Murphy Act; require applicant to furnish tax abstract and submit check covering probable cost of advertisement; ascertain value of the land by appraisal at a cost of approximately \$2.50; advertise sale one time in a newspaper of general circulation that the land will be offered for sale to the highest and best bidder for cash up to and including the first day of the month—not exceeding 15 days—bids received by the Clerk of the Court to be referred to the Trustees who will determine the highest and best bid, and upon such determination deed to be issued to highest and best bidder; purchaser to pay all costs.

Mr. Knott stated that the requirement for tax abstract was unnecessary and would be expensive to prepare; also that it would entail a bookkeeping department to handle the money sent up with the bids as costs, if that was required.

Mr. Lee stated that he would be in favor of the Attorney General's motion if the requirement for tax abstract and depositing of costs with applications be eliminated; also if such plan is carried out is in favor of limiting sales at this time to emergency cases.

The Attorney General agreed to the amendment as suggested by the Comptroller and stated that he was in favor of confining advertisements at this time to emergency applications where municipalities were trying to work out programs of a public nature. Whereupon, motion of the Attorney General with amendments was adopted.

Mr. Velma Keen, who was present on behalf of the City of Miami, advised that he believed it would be unnecessary to require tax abstract to be furnished as it would be an expensive service and take considerable time to have prepared.

Governor Cone asked that motion be made for appointment of a Committee to select urgent applications and work out a schedule or plan for advertising such lands at an early date.

Whereupon, motion was made by the Attorney General seconded and adopted that the Governor appoint a Com-

mittee to select urgent applications and report recommendations for early advertisement of such lands.

The Governor appointed Messrs. Lee, Knott, Gibbs and Mayo as the Committee to work out details required in connection with advertising lands under the Murphy Act in line with above suggestions.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
November 29th, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor  
W. V. Knott, Treasurer  
George Couper Gibbs, Attorney General  
Nathan Mayo, Commissioner of Agriculture

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F. C. Elliot, Engineer and Secretary  
F. E. Bayless, Land Clerk

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The Trustees met to consider amended application for oil lease from Mr. Walter R. Clark and Mr. H. J. Driggers, of Ft. Lauderdale, which application the Governor referred to a Committee composed of Messrs. Gibbs, Knott and Elliot for recommending form of lease.

The Committee having met with Messrs. Clark and Driggers and having agreed upon a reduction in area from 28,800 to 9,600 acres, and a form of lease having been recommended, Mr. Mayo made a motion, which was seconded by Mr. Knott and unanimously adopted, that the Trustees lease to Messrs. Clark and Driggers 9600 acres of State land described as Sections 1, 3, 5, 9, 11, 13, 15, 17, 21, 23, 25, 27, 29, 33 and 35, in Township 54 South, Range 35 East, Dade County, at an annual rental of ten cents (10c) an acre payable in advance.

Motion was also made, seconded and adopted, to notify all interested parties that the Trustees have now formulated plans for the leasing of State lands for oil explora-

tion work; that no very large areas will be leased to any one individual, the State reserving in those areas leased the alternate sections or areas, and that the Trustees are now in position to consider any new applications that may be made.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
December 12, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor  
J. M. Lee, Comptroller  
W. V. Knott, Treasurer  
George Couper Gibbs, Attorney General  
Nathan Mayo, Commissioner of Agriculture

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F. C. Elliot, Engineer and Secretary  
F. E. Bayless, Land Clerk

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Minutes of the Trustees for November 3rd, 14th, 20th, 21st, 28th, and 29th, 1939 presented and approved.

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Secretary of State R. A. Gray submitted letter from John C. Gramling of Miami, in behalf of client Mrs. Laura M. Tobin, in which letter request was made that the Trustees set a price on submerged land adjacent to upland property of Mrs. Tobin located at the northeast corner of 36th Street and Biscayne Bay.

The Trustees directed that the request be referred to the Land Clerk for investigation and report.

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#### AFTERNOON SESSION

Governor Cone and Comptroller Lee absent.

Attorney General Gibbs submitted several letters from Everglades Fire Control Board, together with copy of Resolution adopted by the board, requesting that the

Trustees make available \$15,000 payable at the rate of \$3000 each month beginning with January 1940 and continuing through the month of May 1940, to assist the Everglades Fire Control District and the United States Soil Conservation Service in carrying out a fire control and soil conservation program which has been set up between the two agencies.

The Attorney General furnished information that the United States Soil Conservation Service proposes to furnish technicians for establishing a system of dikes, dams, ditches and embankments, supervise the construction of such works, make available to the Fire Control Board necessary equipment for carrying on this work and to cooperate in every possible way in the plan for fire and water control and soil conservation in the Everglades area.

Upon general discussion, motion was made seconded and adopted that the Trustees of the Internal Improvement Fund make available to Everglades Fire Control District the sum of \$15,000 payable at the rate of \$3000 monthly commencing January 1, 1940 and continuing through May 1940, conditioned that said funds be applied solely to the protection of State lands within Everglades Fire Control District.

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Mr. Elliot presented for final approval of the Trustees Oil Lease authorized drawn in favor of Walter R. Clark and H. J. Driggers, Fort Lauderdale, covering Sections 1, 3, 5, 9, 11, 13, 15, 17, 21, 23, 25, 27, 29, 33 and 35 in Township 54 South, Range 35 East, Dade County.

Mr. Elliot reported that the conditions of the lease had been approved by the Attorney General's office, except as to amount of bond, and that he recommends bond of \$30,000.00 in view of reduced acreage and corresponding reduction in number of wells to be drilled on the decreased area as finally agreed upon.

Motion was made seconded and adopted that Oil, Gas and Mineral Lease in favor of Walter R. Clark and H. J. Driggers be approved and executed with \$30,000 bond as recommended by the Secretary.

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Request was submitted from the State Road Department for extension of 100 feet to Borrow Pit area granted July 15, 1938, and additional right of way of 50 feet on each side of right of way previously granted, both desired in connection with construction and maintenance of State Road No. 29—Project 1021, Glades County.

Motion was made seconded and adopted that the Trustees granted to the State Road Department easements requested, described as follows:



SRD 64—Project 1021—State Road No. 29—Glades County Extension of Marl Pit No. 4 located in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 16, Township 41 South, Range 32 East, Containing 0.317 acres.

SRD 65—Project 5067 (1021)—State Road No. 29—Glades County Described as that part of Sections 3, 4, 9 and 10, Township 41 South, Range 32 East, and Section 28 in Township 40 South, Range 32 East, that lies within 100 feet of the center line of State Road 29, Project 5067 (1021), Containing 14.47 Acres, excepting therefrom that certain right of way granted by the Trustees under date of July 15, 1938 and September 28, 1939.

The Secretary was requested to have easements executed and delivered to the State Road Department.

The Secretary reported that certain lands in Manatee and Sarasota Counties had vested in the Trustees for the purpose of becoming a part of Myakka River State Park; also that other lands coming to the State through foreclosure under Chapter 14572, Acts of 1929, and being within the Park area had been omitted from formal dedication. It is now requested that a resolution be adopted dedicating the entire area in order that necessary work may be started by the Forestry Department.

Upon motion seconded and carried, the following Resolution was adopted:

### RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida acquired by purchase 17,072 acres in a composite body in Sarasota County and Manatee County, Florida, which said lands are described as follows:

- South Half (S $\frac{1}{2}$ ) of Section 1;
- South Half (S $\frac{1}{2}$ ) of SW $\frac{1}{4}$  and Southeast Quarter (SE $\frac{1}{4}$ ) of Section 2;
- West Half (W $\frac{1}{2}$ ) of Northeast Quarter (NE $\frac{1}{4}$ ) and Southeast Quarter (SE $\frac{1}{4}$ ) of Section 3;
- East Half (E $\frac{1}{2}$ ) of East Half (E $\frac{1}{2}$ ) of Section Nine (9);
- All Sections Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14);
- All of Sections Fifteen (15), Twenty-Three (23) and Twenty-four (24), less A.C.L. right of way;

All of Sections Twenty, Twenty-two less Southwest Quarter ( $SW\frac{1}{4}$ ) and A.C.L. right of way;

All of the above described lands being located in Township Thirty-seven (37) South, Range Twenty (20) East, in Sarasota County, Florida.

ALSO:

Commencing at the SE corner of the  $NE\frac{1}{4}$  of Section 6, in Township 37 South, Range 21 East; thence running West along the middle of half section line in said Section 6 to the Southwest corner of the  $NW\frac{1}{4}$  of said Section 6; thence running north on the west boundary line of Section 6 a distance of 622 feet, which point is in the fence line now maintained by A. C. Honore; thence running east along said fence line a distance of 543 feet; thence continuing in a southeasterly direction along said fence line a distance of 280 feet to a point in the present Public Road which point is 823 feet east and 517 feet north of the southwest corner of the northwest quarter of said Section 6; thence running east along the middle line of said Public Road a distance of 4457 feet to the east boundary line of Section 6; thence running south along the east boundary of said Section 6 to the point of beginning. All in Section 6, containing 64.30 acres, more or less.

$S\frac{1}{2}$  of Section 6;

All of Sections 19, 26, 27, 28, 29, 35 and 36, less Tampa Southern right of way;

All of Sections 7, 18, 25, 30, 31, 32, 33 and 34;

All of the above described lands being located in Township 37 South, Range 21 East, in Manatee County, Florida, and have heretofore been dedicated for the purpose herein,

and

WHEREAS, the said Trustees acquired by gift 1920 acres of land in Sarasota County, Florida, conditioned that said lands be, together with other adjoining lands, created into a state park, said lands being described as follows:

All of Section 19;

South Half of Section 20;

South Half of Section 21;

$SW\frac{1}{4}$  of Section 22;

North Half of Section 28;

$NE\frac{1}{4}$  of Section 29;

All in Township 37 South, Range 20 East; containing 1920 acres, more or less, and have heretofore been dedicated for the purpose herein,

and

WHEREAS, the said Trustees also acquired through the provisions of Chapter 14572, Laws of Florida, Acts of 1929, lands described as follows:

In Township 37 South, Range 20 East:

All of Sections 25, 26 and 27;

W $\frac{1}{2}$  and SE $\frac{1}{4}$  of Section 29;

All of Sections 30, 31, 33, 34, 35 and 36.

In Township 38 South, Range 20 East:

E $\frac{1}{2}$  and E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 7.

In Sarasota County, Florida, which said lands adjoin and block up with the lands hereinbefore named, and are among those intended to have been dedicated but not heretofore included,

and

WHEREAS, the Trustees of the Internal Improvement Fund own lands as follows:

W $\frac{1}{2}$  of Section 3, Township 37 South, Range 20 East, and together with the lands hereinbefore described block up and form a composite tract, and were intended to have been dedicated for the purpose herein,

and

WHEREAS, the lands acquired by purchase first above described and those acquired by gift, second above described, were for the purpose of forming a part of an area for a proposed State Park in Sarasota and Manatee Counties, Florida, and the purchase and gift were conditioned upon that disposition of said lands, and the blocking up of other State lands to form a composite tract as a State Park, and

WHEREAS, the Trustees of the Internal Improvement Fund are authorized by Chapter 16142, Laws of Florida, Acts of 1933, to acquire lands by donation or purchase, or otherwise, suitable for state parks and for reforestation, and for other purposes and to make lands owned by said Trustees available for such purpose and for the improvement thereof, now, therefore,

BE IT RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND that all of the lands above described in Sarasota and Manatee Counties, Florida, be and the same are hereby dedicated and declared to be Myakka River State Park, and

BE IT FURTHER RESOLVED that the State Board of Forestry be and it is hereby authorized to proceed with such work in connection with Myakka River State Park as may be desirable and beneficial, and

BE IT FURTHER RESOLVED that the said lands shall be available to the State Board of Conservation for the establishment of a preserve for the protection of game and fresh water fish.

---

Mr. Elliot submitted offer of \$175 from R. H. Douthit, Jr., on behalf of his father, to purchase the equity of the Trustees in Tracts 57 and 58, Section 20, Township 42 South, Range 37 East, Palm Beach County, covered by Everglades Drainage tax certificate No. 1152 amounting to \$181.27.

Upon motion seconded and adopted the Trustees declined offer of \$175 for the tracts described, but agreed on a price of \$200 for the land, provided evidence was shown that applicant was former owner.

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Mr. Bayless presented request from Mr. L. R. Baker of West Palm Beach, on behalf of Dr. Emery J. Thomas, for release of canal and mineral reservations on Lots 13, 14, 15 and 13-A, 14-A and 15-A, of Section 13, Township 42 South, Range 36 East, Palm Beach County, such reservations having been made in Trustees' deed to Dr. Thomas.

Motion was made, seconded and adopted, that the Trustees release reservations on Lots described upon payment of \$10 for each lot.

---

Application was presented from John Szady, Miami, offering \$20 an acre for the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 21, Township 54 South, Range 35 East, Dade County, located on the Tamiami Trail, just East of the Collier County line.

Motion was made, seconded and adopted, to accept the offer of \$20 an acre for the land applied for by Mr. Szady.

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Mr. Bayless submitted application from Glenn Realty Company, Tallahassee, offering \$200 cash for the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, Township 4 South, Range 2 East, Wakulla County.

Upon motion, seconded and adopted, action was deferred on application of Glenn Realty Company pending examination and report by the Field Agent.

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Letter was presented from J. M. Boyd, County Engineer for Palm Beach County, requesting that the Trustees re-



consider action taken on request for rock pit on 15 acres of land included in Pelican Lake Farms purchase. Proposal as previously submitted provided for release from contract of Pelican Lake Farms of fifteen (15) acres of land in Section 9, Township 42 South, Range 37 East, and the deed by the Trustees of such tract to Palm Beach County from which to obtain rock for County road purposes. Upon release from the Contract of the fifteen acres, Pelican Lake Farms Company to receive credit on contract of the unpaid balance due on the acreage released. Mr. Bayless reported that amount of credit would be slightly less than \$500.

Upon motion, seconded and adopted, the Trustees agreed to grant request of Palm Beach County and make available the area applied for from which to take rock for road work in that County, and upon such release credit to be given Pelican Lake Farms Contract for the balance due on released area.

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Mr. Bayless presented application from Mrs. Aurie M. Perfect, Ft. Lauderdale, offering \$350 cash for Tracts 4 and 6, Tier 3, Section 24, Township 50 South, Range 41 East, Newman's Survey, containing 12½ acres in Broward County. Mrs. Perfect agrees to assume \$165.74 of Everglades Drainage and Broward Drainage District taxes outstanding against the tracts.

Upon motion, seconded and adopted, the Trustees declined to sell the land at the price offered by Mrs. Perfect, but it was agreed to fix a price of \$50 an acre for the two tracts, with purchaser assuming taxes against the property.

The Trustees declined request of C. E. Parks, Ft. Lauderdale, to lease Tracts 4 and 6, Tier 3, Section 24, Township 50 South, Range 41 East, Newman's Survey, Broward County, pending negotiations for sale of the tracts.

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Motion was made, seconded and adopted, to approve lease applied for by E. D. Turner, Jacksonville, in favor of Miami Quarterdeck Club, for a period of one year upon payment of \$25, such lease covering a small mud bank South of Florida Light in Biscayne Bay and to be used as a fishing camp site.

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Mr. Bayless reported that recently the Trustees agreed to sell to Baker County School Board the SE¼ of NE¼ of Section 6, Township 1 South, Range 21 East, containing 40 acres, at a price of \$40; that shortly after such action was taken the School Board notified the Land Office

that this tract had been occupied for approximately 50 years by L. N. Rewis and his father on the assumption that they owned it. Mr. Rewis now offers the same amount the School Board did for the land, furnishing affidavit that they have lived on the land for 50 years.

Motion was made, seconded and adopted, that the Trustees accept offer of \$40 from Mr. Rewis for the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, Township 1 South, Range 21 East, Baker County, in view of the fact that applicant's family have been in possession of the land for a long period of years.

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Motion was made, seconded and adopted, to decline the offer of \$7,000 from Mr. Tom Allen of Wellborn for the purchase of pine sawmill timber on State owned land in Levy County, report of the Field Agent having estimated the timber at a higher value.

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Motion was made, seconded and adopted, to renew sand lease in favor of Alfred Destin Company of Miami for a period of one (1) year upon payment of seven and one-half cents (7 $\frac{1}{2}$ c) per cubic yard for all sand taken from Bear's Cut area, in Biscayne Bay, Dade County.

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Upon motion, seconded and adopted, the Trustees declined offer of fifty cents (50c) per cord from H. M. Burch, on behalf of Jefferson W. Black of New York, for cabbage palmetto to be taken from State land.

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Application was submitted from Bradenton Dredging Company for renewal of Shell Lease, with offer of 10c per cubic yard for all shell removed from the Manatee River area. Mr. Bayless reported that upon conferring with the Conservation Department he was informed that there would be no objection to renewal of such lease provided that Department received its share of the proceeds.

Motion was made, seconded and adopted that the Trustees renew shell lease in favor of Bradenton Dredging Company for a period of one (1) year upon payment of Ten Cents (10c) per cubic yard for all shell dredged. It was further agreed that fifty per cent (50%) of the proceeds from the Shell Lease be paid into the Conservation department.

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Motion was made, seconded and adopted, to decline request of Mr. Thomas H. Horobin, to allow reconveyance of 31 acres of land north of and adjacent to Biscayne

Point subject to State and County taxes since 1934. The Trustees recently agreed on a land exchange with Mr. Horobin, conveyance to be free and clear of all liens and it was decided to abide by such decision.

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Offer of \$100 was presented from Hugh Lester, Ft. Lauderdale, on behalf of client, for the purchase of an island in New River, containing approximately one-fourth ( $\frac{1}{4}$ ) acre in Section 16, Township 50 South, Range 42 East, Broward County. Statement was made that applicant has purchased land immediately west of the island.

Motion was made, seconded and adopted, to accept offer of \$100 from client of Mr. Lester for the island applied for, purchaser to pay cost of advertising.

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The Trustees deferred action on request from A. G. Shands for consideration of adjustment on purchase of land by Orange Lake Muck Farms Company, it being desired that the Governor be present when action is taken.

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Offer of \$5 an acre was presented from Kenyon Riddle of West Palm Beach for Section 1, Township 44 South, Range 40 East, Palm Beach County, the land being located 15 miles west of West Palm Beach on the south side of West Palm Beach Canal.

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Motion was made, seconded and adopted, to decline offer of \$5 an acre for the land applied for by Mr. Riddle, but it was agreeable to make sale at the rate of \$10 an acre.

---

Motion was made, seconded and adopted, to grant extension to January 5, 1940 on payment of \$192.25, being rental due in November by Chancey Bay Corporation on ten year lease of State land in Township 39 South, Range 37 East, Martin County. Request was made by G. V. Hudson, Canal Point, Secretary of the Corporation.

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Application was presented from Daniels Towing & Salvage Company, Miami, for renewal of sand lease in the vicinity of Bear's Cut, Biscayne Bay, offering five cents (5c) per ton for all sand taken. Applicant also requests additional dredging area to cover the old channel in Bear's Cut between Key Biscayne and Virginia Key in order to have a place to operate during periods when the the wind is from the northeast and too rough to dredge on the ocean side.

Upon discussion, motion was made, seconded and adopted, to renew sand lease in favor of Daniels Towing and Salvage Company with the additional area included, but at an increased price of  $7\frac{1}{2}$  per cubic yard for all material taken.

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Application was presented from Sears and Shea, Jacksonville, on behalf of R. M. Williams, offering \$80 cash for Excess Lot 1 and the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 31, Township 4 South, Range 28 East, Duval County, in connection with which the Land Clerk submitted the following information from Sears and Shea:

Mr. Williams has been in possession of the land since 1908; that according to public records of Duval County tax deed was issued by the State of Florida to Martha Johnson on February 8, 1904, conveying the above property; that a tax deed from the State of Florida to Luella T. Burke was recorded August 5, 1907; that on January 1, 1926 bill of complaint was filed in Duval County with R. M. Williams named as plaintiff and Florida Railroad Company, a corporation, named as defendants; that suit to quiet title was prosecuted to conclusion and on September 28, 1927, final decree was entered in favor of Mr. Williams, Master's Deed being subsequently obtained and recorded.

In view of the foregoing facts, motion was made, seconded and adopted to accept offer of \$80 from Mr. Williams for the land described as Excess Lot 1 and NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 31, Township 4 South, Range 28 East, Duval County.

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Application was presented from T. W. Conely, Jr., for three five-year grazing leases on State lands in Glades County, offering in payment therefor ten cents an acre annually for the first year, fifteen cents an acre annually for the second and third years; twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year, such leases to be made in favor of W. B. Norton for 762.91 acres; F. H. Williams, Jr., and E. P. Scarborough for 51 acres, and F. H. Williams, Jr., for 258.04 acres. Mr. Conely stated that applicants did not contemplate placing the lands under the Soil Conservation Program.

Motion was made, seconded and adopted to decline offers made by Mr. Conely's clients, but it was agreeable to issue one year grazing leases to each of the above parties upon payment of twenty-five cents an acre.



Application was submitted from C. L. Ryan, representing Florida Fiber Company, for lease permitting the cutting and removing of Switch grass from approximately 8000 acres of State land in Township 16 South, Range 29 East, Volusia County. Offer of two cents (2c) an acre or seventy-five cents (75c) per ton, was made for lease.

Mr. Bayless informed the board that application of Mr. Ryan covers the same land which the Trustees leased to J. P. Oesterreicher on September 27th for taking saw grass; however, Mr. Ryan states he is not interested in taking saw grass.

Motion was made, seconded and adopted, to decline offer of Mr. Ryan on the ground that there might be conflict with two leases on the same area.

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Mr. Bayless presented request from C. E. Duncan of Tavares, representing Isaac S. H. Jones, that the Trustees issue quit claim deed to correct error in original Trustees' Deed No. 13644 dated July 1, 1887 in favor of Florida Midland Railway Company, in which deed the land was described as Lots 1 and 2 and N $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 2, Township 17 South, Range 28 East, Lake County, but according to Government Survey there were not Lots 1 and 2, the area being described as Fractional NE $\frac{1}{4}$ .

Motion was made, seconded and adopted that quit claim deed be issued in favor of Isaac S. H. Jones, the present owner, for correcting erroneous description in former deed to Florida Midland Railway Company as outlined by Mr. Bayless.

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Motion was made, seconded and adopted, to deny application of Dr. Walter Siegmeister of Lorida, Florida, offering \$13 an acre for a number of lots located on the north shore of Lake Istokpoga in Sections 29, 32 and 33, Township 35 South, Range 31 East, Highlands County.

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Application was received from Lewis Taylor, Lorida, Florida, offering 10c an acre for grazing lease on Lots 10, 11, 12 and 13, Section 33, Township 35 South, Range 31 East, Highlands County. Containing 111 acres located between property of Mr. Taylor and the waters of Lake Istokpoga.

Motion was made and duly adopted, to decline offer of ten Cents an acre for grazing lease on land applied for by Mr. Taylor, however, it was agreed that the Lots could be leased by applicant for a period of one year upon payment of 25 cents an acre.

Application was submitted from I. G. Atwell of West Palm Beach, representing Mr. Pedro Grau, offering \$20 an acre for all of Sections 5, 9, 15, 16; E $\frac{1}{2}$  of Section 17; all Sections 23, 27 and 35, Township 42 South, Range 38 East, containing approximately 4800 acre in Palm Beach County, lying north of West Palm Beach Canal and approximately 10 miles East of Lake Okeechobee.

Mr. Bayless informed the board that he understood the land was desired to block up an area for another Sugar Mill in the Everglades Section.

Motion was made and duly adopted that action be deferred on this offer, pending examination and report.

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Offer of \$6,481.00 was submitted from G. A. Hubbell, Belleglade, for Section 31, Township 43 South, Range 39 East, Palm Beach County, lying north of Cross Canal and about six miles west of 20-Mile Bend.

Motion was made, seconded and adopted, to decline offer from Mr. Hubbell for the land applied for.

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The Trustees declined to renew Shell Lease in favor of Robert M. Brown of Tampa, at a price of 5 Cents per ton as offered, or at the rate of 7 $\frac{1}{2}$  cents per cubic yard as recommended by the Conservation Department.

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Report was made that there are several sand and shell operators in the State taking material without having secured permit from the Trustees or making payment therefor.

Upon motion, seconded and adopted, the Attorney General was authorized to proceed against sand and shell operators doing business without permit from the State.

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Mr. Bayless presented application from C. B. Poare, Branford, to purchase the S $\frac{1}{2}$  of Lot 7, Section 36, Township 7 South, Range 13 East, LaFayette County, with offer of \$5 an acre for the land.

The Field Agent having reported that there was some timber on the land, motion was made and adopted to decline offer of \$5 an acre from Mr. Poare, but it was agreed that the land and timber could be bought for \$400. The Land Clerk was directed to notify Mr. Poare of action taken.

---

Mr. Bayless presented statement of 1939 taxes due by the Trustees on land located within South Florida Conservancy District, the amount being \$10,355.94.

Motion was made, seconded and adopted, that check be drawn during December in payment of 1939 taxes due by the Trustees in South Florida Conservancy District in order to take advantage of 3% discount allowed.

The following bills amounting to \$341.94 were approved and the Treasurer was directed to issue checks in payment therefor:

M. C. McIntosh, Asst. Atty. General, Expenses .....	\$ 35.50
S. S. Savage, Field Agent, Ocala, Fla. ....	142.25
W. B. Granger, Belle Glade, Fla. ....	20.75
American Oil Company, Jacksonville, Fla. ....	14.35
Proctor and Proctor, Tallahassee, Fla. ....	2.80
Capital Office Equipment Company, Tallahassee, Fla. ....	.60
Western Union Telegraph Company, Tallahassee, Fla. ....	12.40
Postal Telegraph-Cable Company, Tallahassee, Fla. ....	1.23
Southeastern Telephone Company, Tallahassee, Fla. ....	12.70
Postmaster, Tallahassee, Fla. ....	99.36
	<hr/>
	\$341.94

Financial Statement for the month of November is as follows:

#### FINANCIAL STATEMENT FOR NOVEMBER, 1939

##### RECEIPTS

Receipts on account of various land sales .....	\$ 2,412.57
Farm leases .....	252.49
Land leases .....	75.00
Quit claim deed to Lots in Harris Terminals S/D .....	7.50
Royalties on sand, shell and gravel .....	851.78
Pipe line permit .....	375.00
Refund on long distance call .....	1.45
Reimbursement on account of expense in connection litigation under Chapter 18296, Murphy Act .....	1,032.76
Total receipts during month .....	\$ 5,008.55
Balance on hand November 1, 1939 .....	102,886.94
	<hr/>
	\$107,895.49
Less disbursements (itemized below) .....	1,983.62
	<hr/>
Balance November 30, 1939 .....	\$105,911.87

## RECAPITULATION

Cash and cash items .....	\$ 1,000.00	
Balances in banks .....	104,911.87	
		\$105,911.87
BALANCES IN BANKS NOVEMBER 30, 1939		
The Atlantic National Bank, Jacksonville, Fla. ....	\$ 77,526.14	
The Florida National Bank, Jacksonville, Fla. ....	17,821.31	
The Capital City Bank, Tallahassee, Fla. ....	9,564.42	
		\$104,911.87

## DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
Nov. 15,	11559	M. C. McIntosh .....	\$ 70.15
	11560	F. C. Elliot .....	24.31
	11561	S. S. Savage .....	257.94
	11562	W. B. Granger .....	29.25
	11563	Tyrus A. Norwood .....	17.26
	11564	O. L. Maddox .....	54.00
	11565	Standard Oil Company .....	13.71
	11566	American Oil Company .....	15.30
	11567	Proctor & Proctor .....	14.05
	11568	Rose Printing Company .....	14.00
	11569	Western Union Telegraph Co. ....	1.29
	11570	Southeastern Telephone Co. ....	6.50
29,	11571	F. C. Elliot .....	400.00
	11572	F. E. Bayless .....	275.00
	11573	M. O. Barco .....	175.00
	11574	Jentye Dedge .....	175.00
	11575	H. L. Shearer .....	50.00
	11576	S. S. Savage .....	200.00
	11577	M. C. McIntosh .....	25.75
	11578	Tyrus A. Norwood .....	50.21
	11579	S. S. Savage .....	114.90
	Total	disbursements for November,	
	1939		\$1,983.62

WITH REFERENCE TO LANDS VESTING IN THE  
STATE UNDER CHAPTER 18296, ACTS OF 1937  
MURPHY ACT

All members of Trustees present.

The Governor submitted request from the State Road Department for quit claim deed to the following described land:



E $\frac{1}{2}$  of Lot 10, Central Division of Lake City, also Beginning 52 feet North of Southwest corner of said Lot 10 and running North 81 $\frac{1}{2}$  ft, East 105 ft, South 81 $\frac{1}{2}$  ft, West 105 ft.

which came to the State under Chapter 18296, Acts of 1937, the Murphy Act. Information was given that this land became the property of the State Road Department prior to vesting of title in the State under the Murphy Act; that the Road Department has a building on the premises and is desirous of securing deed from the State to eliminate the Murphy Act certificate.

It appears that title to the above described lot had vested in the State Road Department, an agency of the State of Florida, said title having been acquired by deed from the City of Lake City, therefore, to avoid confusion and any cloud resting upon the title held by the State Road Department, the Trustees authorized execution of quit claim deed in favor of said State Road Department and the marking off of the list of tax sale certificates the said parcel and the certificate corresponding thereto.

Three members of the Committee appointed by the Governor November 28th for reporting on Murphy Act lands, having met Attorney General Gibbs submitted the following report and moved its adoption:

"Tallahassee, Florida,  
December 11, 1939

At a meeting of the Trustees November 28, 1939, the Governor appointed Messrs. Lee, Knott, Gibbs and Mayo as a Committee to select applications of an emergency nature and report recommendations for advertisement and sale of lands coming to the State under Section 9, Chapter 18296, the Murphy Act. The Committee met with the following members present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Discussion was had as to various phases of the subject and upon suggestions and recommendations from the members present, following action was taken:

Judge Gibbs: I move, Mr. Chairman, that we recommend to the Trustees that the Clerks of the Circuit Courts of the several counties be named as agents of this Board, but not in their official capacity as Clerks, for the disposal of lands coming to the State under Section 9 of Chapter 18296.

Motion seconded by Mr. Knott and upon vote adopted.

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Judge Gibbs: I move that we recommend to the Trustees that the following lands, the disposition of which in our opinion is of an emergency nature, be disposed of at the earliest practicable time under the provisions of Section 9 of Chapter 18296.

Motion seconded by Mr. Knott and upon vote adopted, Comptroller Lee voting No.

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Judge Gibbs: I move, Mr. Chairman, that this Committee recommend that the notice to be given of the sale of these respective parcels of land be made by notice in a newspaper in the County in which the land is located, describing the land and stating that on or before a certain date—not to exceed 15 days from the date of the insertion of notice—written sealed bids will be received for the purchase of the lands involved in the advertisement. That in this same notice it be stated that if the original owner or lienor, as the case may be, makes a bid, if he so desires he may state that in addition to amount bid he is willing to offer the amount of the highest bid, then his bid will be considered the best bid. If neither the owner nor the lienor, as the case may be, makes a bid then the highest bid made will be accepted. Affidavit is to be filed with the Clerk of the Circuit Court when bid is made as to the bidder's interest in the land. Bids submitted are to be sent by the Clerk of the Court to the Trustees and upon determining the highest and best bid the Trustees will then issue deed.

With amendment by Mr. Knott, that the Trustees reserve the right to reject any and all bids, motion of Judge Gibbs was seconded by Mr. Knott and upon voted adopted, Mr. Lee voting No.

Judge Gibbs stated that his motion was to cover list of lands as prepared by the Secretary of an emergency nature.

Comptroller Lee stated that he was opposed to showing any preference and he felt that any individual had as much right to consider his application of an emergency nature and have it advertised as a municipality or any other agency.

## ITEMS DECIDED ON:

1. Advertise land in County in which located. Advertisement to be of one insertion only.
2. Land to be described according to description on Certificate.
3. Advertising notice to be paid for by Trustees.
4. Secretary to prepare form of notice for consideration of Trustees.
5. Secretary to submit list of lands which are considered of an emergency nature.

With reference to 5 it was suggested that the first advertisement cover only applications of an emergency nature from Cities and governmental agencies where work of a public nature was being held up and where applicants are willing to take such title as the Trustees can convey at this time, then when the Supreme Court has rendered its decision with reference to liens of municipalities the Trustees will be ready to advertise individual applications.

J. M. LEE,  
Comptroller.

W. V. KNOTT,  
Treasurer.

GEORGE COUPER GIBBS,  
Attorney General.

THE COMMITTEE."

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Attorney General Gibbs stated that he desired to amend the Report in two particulars:

1. That in considering bids of former owner, or person having right to redeem, and lienor that former owner be given preference over lienor, and
2. That deeds contain reservation for easement covering right of way for State roads wherever public necessity seems to demand.

Amendments agreed to by Committee.

Mr. Mayo suggested that advertising costs be paid by purchaser of the land. Discussion was had on Mr. Mayo's suggestion as well as to advisability of having applicant deposit cash with the Clerk in an amount sufficient to cover bid submitted; also consideration was given as to form of notice for advertising lands for sale.

Form of proposed notice for advertising lands was read by Mr. Elliot with recommendation that the same be adopt-

ed and that applicant be required to deposit with the Clerk an amount necessary to cover cost of advertising, any money above actual cost to be refunded. In case of land being sold to party other than applicant all advertising costs to be refunded to applicant and all bids of unsuccessful bidders to be refunded.

Motion was made by Mr. Knott that form of notice submitted by Mr. Elliot to be adopted; that applicant be required to deposit with Clerk of the Circuit Court an amount to cover cost of advertising; that sealed bids be specified and cash for full amount of bid be deposited with Clerk; that original owner, or person who was entitled to redeem, be given preference over lienor or other bidders, and that reservation for road right of way be included where necessary. Motion seconded by Attorney General Gibbs.

Comptroller Lee stated that he desired to state his position before the report and other suggestions were voted on; that since he had disagreed with other members of the Committee he desired to submit a written expression of his opinion on the subject, which was as follows:

#### PROPOSAL BY J. M. LEE:

1. Designate and employ some qualified person, preferably Clerk Circuit Court, to represent the Trustees of the Internal Improvement Fund as Agent in the several counties of the State. Perhaps better still employ qualified men to handle sales in a number of counties. In that event, subordinate held will be necessary for this man.
2. Advertise all lands involved for sale at public outcry before the Court House door in said county at a day and hour certain, said sale to continue from day to day and hour to hour until land is sold or sale adjourned by order of the Trustees.
3. Require all purchasers to deliver to the Agent of the Trustees Certified or Cashier's check for the amount bid for said property, which check shall be forwarded to the Trustees in payment for said purchase or to be returned to bidder in its original form in the event the Trustees reject the bid. In the event of sale the Trustees will give the State's quit claim deed for the property sold. The advertisement of such sale shall be substantially as follows:



"NOTICE is hereby given that the State of Florida, acting by and through the Trustees of the Internal Improvement Fund and under and by virtue of Section 9, Chapter 18296, will, on the ..... day of ....., offer for sale at public outcry, before the Court House Door in ..... County, between the legal hours of sale, any and all of the real estate located in said county, the title to which passed to the State of Florida by virtue of Section 9, Chapter 18296, because the taxes against said lands had not been paid or the property redeemed in accordance with law; said lands shall be sold for cash to the highest bidder and will be deeded to the purchaser thereof according to description contained in tax certificate by virtue of which the title passed to the State and said sale shall continue from day to day and hour to hour until said lands have been sold or the sale shall be finally adjourned by the Trustees of the Internal Improvement Funds. The purchase of any lands offered at such sale shall, upon making the highest bid, immediately file with the Agent of said Trustees Cashier's or certified check, made payable to the Trustees of the Internal Improvement Fund, which check shall be forwarded to the Trustees at Tallahassee, Florida. If such bid is rejected by the said Trustees the check will be returned to the bidder in its original form. The Trustees reserve the right to reject any and all bids submitted at such sale."

4. The Agent of the Trustees in his judgment shall have the authority to reject any or all bids that are less than the accumulated taxes due on the property offered, and in that event no report will be necessary to be made to the Trustees.
5. Where bids are satisfactory to the Agent he may announce the land sold, subject to final acceptance of the Trustees of the Internal Improvement Fund, and make out a full, definite report of the sale, accept the check hereinabove required and forwarded same to the Trustees at Tallahassee with his recommendation regarding sale. If the Trustees shall approve such sale proper conveyance shall be executed and forwarded to the Agent for de-

livery. If the Trustees shall reject the bid the check enclosed shall be returned to the Agent for delivery to the bidder.

6. Give special preference to no person. Just administer the law as written.

Mr. Lee also urged that sales be held by the Clerks at public auction pursuant to advertised notice and that the highest and best bid be accepted by the Clerk subject to approval of the Trustees; that sales be continued from day to day till all land sold; that a policy of allowing former owner to meet the highest bid will discourage competitive bidding; that he wants his position made clear, but if the Trustees do not see fit to adopt his plan, then he is willing to go along with the others. Mr. Lee moved the adoption of his proposal.

Attorney General Gibbs submitted that he did not think the plan of favoring the former owner, by allowing him to meet the highest bid, would discourage competitive bidding; that the object of the Murphy Act was to get the lands back on the tax rolls and not to make money for the State. If the lands are sold at auction to the highest bidder and all these lands dumped on the State at one time, it will only produce chaos and do the very thing the Federal agents and municipalities have urged that the Trustees not do—and that is to tear down the real estate values.

Mr. Lee replied that he did not have in mind doing anything that would reduce real estate values as the Trustees have the right to reject any and all bids and if the price is not right they do not have to sell the land.

Mr. Knott and Judge Gibbs stated that it was their understanding that the Trustees try disposing of a few parcels at this time of an emergency nature and they could tell how the plan would work.

Mr. Lee requested action on his substitute motion. The motion not having a second was voted on and failed of adoption.

Motion was made, seconded and adopted, that report of the Committee with amendments offered be adopted, Mr. Lee voting No.

Motion of Mr. Knott, with reference to form of notice, advertising costs, etc., as seconded by Judge Gibbs, was duly adopted.

## AFTERNOON SESSION

Comptroller Lee absent.

The following points with reference to procedure under the Murphy Act were discussed and agreed on as follows:

1. Not necessary to publish a general notice that the Trustees are ready to receive applications.
2. In addition to newspaper notice, Clerk to post notice at the Court House of land being advertised.
3. Sales to be made in counties where lists have not been prepared by Clerks and sent to Trustees.
4. Emergency applications to be advertised at once.
5. Date notice will appear in the newspapers will be between the 4th and 10th of the month. In Daily newspaper insertion to be on Friday, and Weekly newspapers the day on which published between the dates above.
6. Opening of bids to be on the first Monday of the month following that in which advertisement is made.
7. Not necessary to have certificate of Clerk that tax sale certificate regularly issued.
8. Description appearing in tax certificate will be description used in deed.
9. Executed deed will be forwarded to Clerk for delivery to successful bidder.
10. Recording of deed will be optional with purchaser.
11. Fees to be paid Clerks for services rendered to be decided on at later date.
12. When bids received in Tallahassee by Trustees, Secretary to open such bids, tabulate the same and submit to Trustees for consideration.
13. All parcels applied for to be advertised in one notice up to date information is turned over to newspaper.

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Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
December 19, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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#### WITH REFERENCE TO MURPHY ACT LANDS

Mr. Ben Herr, Chief Engineer for Okeechobee Flood Control District, came before the Trustees and asked that the same action be taken with reference to canal right of ways for the District covered by certificates under the Murphy Act as is contemplated for the protection of right of ways for the State Road Department.

Discussion was had as to request of Mr. Herr and he was advised that the Attorney General's office was working on a plan for taking care of cases of this kind and as soon as the program was formulated he would be notified.

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Mr. Ben Herr, Chief Engineer for Okeechobee Flood Control District, came before the Trustees and stated that the United States desired additional right of way in connection with construction of Locks and Spillway in St. Lucie Canal at a cost of over a million dollars; that a portion of the land in the 800 foot right of way necessary for the improvement is covered by certificates under the Murphy Act, and Okeechobee Flood Control District requests that the Trustees take the necessary steps to execute deed in favor of the United States.

The Attorney General made a motion, seconded by Mr. Knott, that the Trustees advertise the land covered by Murphy Act certificates through which the United States desires an easement for right of way in connection with St. Lucie Canal.

Upon vote being taken, the motion was adopted, the Comptroller voting No.

Attorney General Gibbs made a motion that the United States be granted easement over other lands described by Mr. Herr as being necessary in connection with Okeechobee Levee work.

Motion seconded by Mr. Knott and upon vote adopted, Comptroller Lee voting No for the reason that he feels the Trustees are required by law to advertise and offer for sale the lands under the Murphy Act, and until that has been done he does not think the Trustees have authority to grant further easements.

Mr. Elliot reported that the Committee from the Clerks of the Circuit Courts desired opportunity to come before the Trustees and submit recommendations with reference to handling the Murphy Act lands.



Upon discussion it was agreed that a meeting of the Trustees be held Wednesday, December 27th, and that the Clerks' Committee be notified that the board would be glad to have them submit their recommendations on that date.

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Mr. Elliot presented letter from W. M. Myers, Attorney of Tallahassee, representing the Board of County Commissioners of Wakulla County, requesting information with reference to disposition of proceeds from Murphy Act lands in Wakulla County. Mr. Myers informed the board that unless he received information from the Trustees that the counties would receive their prorata part of proceeds from sale of these lands suit would immediately be instituted requiring that all funds derived from the sale of Murphy Act lands be declared to be trust funds in the hands of the State for the benefit of the Counties and the State, after deducting cost of sales.

Upon discussion of letter submitted, the Trustees directed that the Secretary inform Mr. Myers that in the absence of any provision in Section 9 of Chapter 18296, relating to disposition of moneys received from the sale of lands under the above Chapter, and also in the absence of any court decision specifically determining what disposition shall be made, the Trustees propose to proceed as follows:

That when money is received from the sale of Murphy Act land the same shall be deposited with the State Treasurer in a fund designated "Funds Under Chapter 18296." Out of such funds disbursements shall be made solely for defraying the administrative expenses incident to carrying out the provisions of Section 9 of the Act. That account shall be kept by the Trustees for each County, showing the amounts received and the disbursements made on account of expenses in administering the lands within that County. Any balance remaining after defraying such expenses is to remain in the State Treasury as "Funds Under Chapter 18296" and subject to such other disposition as the Court may ascertain to be proper, or as a future legislature may prescribe, or as the Trustees may determine based upon authority therefor satisfactory to the Trustees, if such shall be found.

The Trustees stated that they have not and do not now take the position that no part of the moneys received from the sale of Murphy Act lands are due the County and are unwilling to take a contrary position solely for the pur-

pose of raising the question. The Trustees, however, desire to cooperate with the counties in every reasonable way for determining such question.

### TRUSTEES I. I. FUND LANDS

The Trustees on November 20th agreed to grant to the City of Tampa easement over submerged lands and bottoms in Hillsborough Bay, requested in connection with construction of a breakwater and development at Peter O. Knight Field, Davis Island, Tampa. Subsequent to action on the 20th of November, it was deemed necessary to include an additional area and the Secretary submitted form of Easement including the additional tract for consideration of the Trustees.

Motion was made, seconded and adopted, to defer action on request from the City of Tampa as only three members of the board were present.

The Trustees deferred action on appointment of Supervisors for New Smyrna-DeLand Drainage District.

Mr. Bayless reported that he had taken up with South Florida Conservancy District the matter of allowing four per cent (4%) discount on taxes due on State lands, the District having failed to furnish statement of taxes in time for check to be mailed during November. The District agreed to the 4% discount and the following bill was approved for payment:

South Florida Conservancy District, Belle Glade,  
Fla. Special assessment taxes on lands owned  
by the Trustees of the Internal Improvement  
Fund within the District—for the year 1939 .....\$9,820.74

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
December 27th, 1939

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Bayless submitted request from Southeastern Pipe Line Company of Atlanta, Georgia, requesting right of way across the bottoms of the Chipola River, Calhoun County, for the purpose of constructing, operating and maintaining a pipe line for transmission of gasoline, kerosene and other petroleum products.

Mr. LeRoy Collins, representing the Southeastern Pipe Line Company, requested that the Trustees grant this permit for a nominal consideration as it had not been anticipated that permit would have to be taken out for Chipola River, it being a tributary of the Apalachicola and applicant having entered into agreement November 14th, 1939 to make payment of \$500 annually for right of way across the Apalachicola River. Mr. Collins made an offer of \$50 annually for the additional right of way across Chipola River.

Upon discussion of the request, motion was made, seconded and adopted, that the Trustees allow permit in favor of Southeastern Pipe Line Company for constructing, operating and maintaining a pipe line across the Chipola River in Calhoun County at a point West of State Road No. 6 at Scott's Ferry, upon payment of \$100 annually as rental; right of way to be a strip 8 feet wide and 290 feet long commencing at the Southwest Corner of Section 21, Township 2 South, Range 9 West. The above action to be conditioned upon approval of the Governor.

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Mr. Collins agreed to rental payment of \$100 annually for right of way across Chipola River.

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The Trustees deferred action on request of the City of Tampa for easement grant in Hillsboro Bay desired in connection with construction of a Breakwater by the Federal Government adjacent to Peter O. Knight Airport, Davis Island.

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Mr. Knott reported that request had been made to the Land Department that the Trustees be made party to an injunction suit instituted by Tidewater Red Cypress Company for restraining defendants from taking cypress from the Dead Lakes.

Upon consideration, the matter was referred to the Attorney General for action.

Mr. Elliot submitted Resolution from the County Commissioners of Palm Beach County recommending that the Trustees approve sale of Lots 23 and 24, Block 1, Monroe Heights S/D as in Plat Book 11, Page 68, Palm Beach County, Florida, Section 29, Township 42 South, Range 43 East, town of Riviera, Florida, title to which vested in the Trustees through foreclosure by the County as authorized under Chapter 14572, Acts of 1929. The Resolution recommends that sale be made to Bennett Gardens Corporation upon payment of costs, interest, attorney's fees, and 25c on the dollar of Palm Beach County taxes charged against the land, plus the Trustees fee for handling and amount covering release of mineral reservations.

Upon motion, seconded and adopted, the Trustees agreed to sell Lots 23 and 24, described above, to Bennett Gardens Corporation upon payment of \$33.34, conditioned that the State be paid in full for State taxes and that the Trustees fee be \$5 plus \$2.50 for release of mineral reservations.

The following bills amounting to \$1,517.38 was approved and checks ordered issued in payment therefor:

F. C. Elliot, Engineer and Secretary—Salary for December .....	\$ 400.00
F. E. Bayless, Land Clerk, Salary for December .....	275.00
M. O. Barco, Clerk & Stenographer—Salary for December .....	175.00
Jentye Dedge, Clerk & Stenographer—Salary for December .....	175.00
H. L. Shearer, Clerk in Land Office—Salary for December .....	50.00
S. S. Savage, Field Agent, Ocala, Fla.—Salary for December .....	200.00
F. E. Bayless, Land Clerk—Expense Account .....	20.00
S. S. Savage, Field Agent, Ocala, Fla.—Expense Account .....	144.20
M. C. McIntosh, Asst. Atty. General—Expense Account .....	18.15
James A. Ellis Company, Jacksonville, Fla. ....	44.78
Burroughs Adding Machine Co., Jacksonville, Fla. ....	7.75
Paul V. Lang, C. C. C., Leon County .....	7.50

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\$1,517.38

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WITH REFERENCE TO LANDS UNDER CHAPTER  
18296 — (MURPHY ACT)

Mr. Elliot informed the Trustees that E. R. Bennett, Clerk of the Circuit Court of Broward County, and J. L. McMullen, Clerk of the Circuit Court of Suwannee Coun-



ty, Vice-President and Secretary respectively of Florida Clerks' Association, were present to meet with the board and submit recommendations with reference to handling lands under Section 9 of Chapter 18296.

Mr. Bennett stated that the suggestions to be made were not to be considered as iron clad, but merely something to start working from.

Following are the recommendations of the Clerks Association:

**RE: MURPHY ACT LANDS RECOMMENDATIONS  
OF ASSOCIATION OF CIRCUIT COURT CLERKS**

Advertise Upon Application, to-wit:

1. Advertisement to be made in newspaper of daily publication on the Friday between the 4th and 10th of each month, or if weekly publication on the day of publication of said weekly paper. If two publications are made in each month and two sales held then date publication to be two weeks from date given above.
2. Parcels advertised to be sold at public outcry, not less than 15 days from date of publication and not more than 30 days from date of publication.
3. Clerk will cause to be advertised as many parcels as possible in one advertisement.

Applicant to Pay Upon Application for Publication, to-wit:

1. Cost of advertisement
2. Clerk Service fees
3. Base bid (base bid on each parcel to be 25% of assessed value appearing on the 1932 Tax Assessment Roll or 1933 Tax Sale Certificate)

Sale:

1. Sale to be held by Clerk on day indicated in notice between the hours of 10:00 A. M. and 2:00 P. M.
2. Parcel will be declared sold to the highest bidder for cash, subject to acceptance by the Trustees.
3. Purchaser pays all cost in addition to bid. If purchaser not original applicant, then original applicant's deposit to be refunded by Clerk.

Clerks Report, to-wit:

1. Report to show description of parcel sold, number of each certificate embracing said par-

cel or any part thereof. Each certificate and parcel or part to be listed on separate line on report. Report to also show amount of bid, and name of purchaser.

2. Report to be made monthly, not later than the 10th of the following month after sales.

Deeds:

1. Deeds to be executed by Trustees and forwarded to Clerk for delivery to purchaser.

Approved by TRUSTEES  
INTERNAL IMPROVEMENT FUND

By.....  
By.....  
By.....  
By.....  
By.....

APPROVED BY FLORIDA CLERKS  
ASSOCIATION

By E. R. BENNETT, V. Pres.

By J. L. McMULLEN, Secretary.

This 27th day of December, A. D. 1939.

Tallahassee, Florida.

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A general discussion was had of the suggestions submitted by the Committee with a view toward simplifying the sale of lands coming to the State under Section 9 of Chapter 18296. Mr. Bennett and Mr. McMullen explained their reasons for requesting the change in procedure—that it would save time if as much of the detail as possible could be handled by the Clerks than for part to be handled by them and part by the Trustees. If sealed bid method is used and all bids have to be sent to the Trustees for consideration, there will be times when weeks will elapse before applicant can be notified of action taken. During that time applicant will be coming back to the Clerk to find out if bid has been accepted or what is holding up the sale.

The Clerks urge that some set amount be decided as a starting point for bidding, which amount should include an amount sufficient to cover cost of advertising and Clerk's fees. If applicant is willing to put up that amount, then the Trustees will be assured that costs of the sale are guaranteed and a reasonable price bid for the land in the event no higher bid is received. The highest and best bidder could then be notified that sale was made to him subject to approval of the Trustees.

The Clerks were informed that only three members were present and as the Comptroller had voted against recent action taken, it was thought best to defer final action on the suggestions until at least four members could be present.

The Attorney General reported that a decision by the Supreme Court was expected within a few days on a suit involving bondholders, municipalities and other lienors, and upon receipt of such decision the Trustees would know just what title could be given under Chapter 18296.

Upon motion, seconded and adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
January 3, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

Minutes of December 12, 19 and 27, 1939 presented and approved.

At the meeting on December 27, 1939, the Trustees approved permit in favor of Southeastern Pipe Line Company for constructing pipe line on the bottoms of Chipola River, Calhoun County, upon payment of \$100 annually, such action being subject to approval of the Governor. The Governor being present at this meeting, expressed himself as being favorable to issuance of permit in favor of Southeastern Pipe Line Company upon payment of \$100 annually. Whereupon, permit was ordered executed and delivered to Mr. Leroy Collins, representing the Pipe Line Company.

Mr. Elliot reported that the City of Tampa is making application for submerged areas in addition to

right of way heretofore granted for construction of a breakwater in Hillsborough Bay adjacent to Peter O. Knight Airport, Davis Island. It was explained that the additional area was desired in order to exercise police powers in keeping the waterway open for landing and taking off of seaplanes.

Upon discussion, motion was made, seconded and adopted that Easement Grant for right of way for Airport Construction, Operation and Maintenance be executed in favor of the City of Tampa as outlined to the Trustees at the meeting November 20th, 1939, and that additional parcels indicated as Parcel "A" and Parcel "B" be included in such grant.

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Mr. Elliot presented application from the War Department requesting temporary grant for deposit of spoil in connection with maintenance dredging in Clearwater Harbor and Boca Ceiga Bay, Pinellas County. The areas desired were described as follows:

**SPOIL AREAS A, B AND C:** Approximately 200 feet wide and 900, 700 and 500 feet long respectively in the open waters of Boca Ceiga Bay;

**SPOIL AREA F:** Approximately 100 feet wide and 700 feet long in the SW $\frac{1}{4}$  of Section 30, Township 30 South, Range 15 East;

**SPOIL AREA G:** Approximately 100 feet wide and 560 feet long, situated in the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 30, Township 30 South, Range 15 East;

**SPOIL AREA H:** Approximately 100 feet wide and 300 feet long, located in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 13, Township 30 South, Range 14 East;

**SPOIL AREA I:** Approximately 100 feet wide and 600 feet long situated in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  and NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 13, Township 30 South, Range 14 East;

**SPOIL AREA J:** Approximately 100 feet wide and 700 feet long, situated in the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 7, Township 30 South, Range 15 East;

**SPOIL AREA K:** Approximately 100 feet wide and 350 feet long, situated in the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 7, Township 30 South, Range 15 East.

Motion was made, seconded and adopted to grant request of the War Department for Temporary Spoil Areas



in Clearwater Harbor and Boca Ceiga Bay as described above with expiration date as of June 30, 1940.

Financial Statement for the month of December, 1939, is as follows:

### FINANCIAL STATEMENT FOR DECEMBER, 1939 RECEIPTS

Receipts on account of various land sales .....	\$ 843.92
Farm leases .....	1,125.00
Timber leases .....	2,294.21
Saw Grass lease .....	21.12
Royalties on sand, shell and gravel.....	322.44
Proceeds FFMC coupons (Axel Jensen—Entry No. 17839) .....	10.50
Fishing shack permit .....	18.75
Total receipts during month .....	\$ 4,635.94
Balance on hand December 1, 1939.....	105,911.87
	<u>\$110,547.81</u>
Less disbursements (itemized below) .....	11,680.06
Balance December 31, 1939 .....	<u>\$98,867.75</u>

### RECAPITULATION

Cash and cash items .....	\$ 1,000.00
Balances in banks .....	97,867.75
	<u>\$98,867.75</u>

### BALANCES IN BANKS DECEMBER 31, 1939

The Atlantic National Bank, Jacksonville, Fla. ....	\$ 70,321.53
The Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	9,724.91
	<u>\$97,867.75</u>

### DISBURSEMENTS

Date	No.	In Favor of:	Amount
1939			
Dec. 13,	11580	M. C. McIntosh .....	\$ 35.50
	11581	S. S. Savage .....	142.25

	11582	W. B. Granger .....	20.75
	11583	American Oil Company.....	14.35
	11584	Proctor & Proctor .....	2.80
	11585	Capital Office Equipment Company .....	.60
	11586	Western Union Telegraph Co.	12.40
	11587	Postal Telegraph-Cable Co.....	1.23
	11588	Southeastern Telephone Co.....	12.70
	11589	J. F. Cochran, Postmaster .....	99.36
21,	11590	South Florida Conservancy Dist. ....	9,820.74
29,	11591	F. C. Elliot .....	400.00
	11592	F. E. Bayless .....	275.00
	11593	M. O. Barco .....	175.00
	11594	Jentye Dedge .....	175.00
	11595	H. L. Shearer .....	50.00
	11596	S. S. Savage .....	200.00
	11597	F. E. Bayless .....	20.00
	11598	S. S. Savage .....	144.20
	11599	M. C. McIntosh .....	18.15
	11600	James A. Ellis Company .....	44.78
	11601	Burroughs Adding Machine Co. ....	7.75
	11602	Paul V. Lang, C. C. C. ....	7.50
Total Disbursements for December, 1939 .....			\$11,680.06

Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot  
Secretary.

Tallahassee, Florida,  
January 9, 1940

The Trustees of the Internal Improvement Fund met on  
this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

CONSIDERATION OF LANDS UNDER CHAPTER  
18296, ACTS OF 1937

Mr. Elliot reported that E. R. Bennett and J. L. McMullen, representing Association of Clerks of the Circuit Courts, were present and desired that the Trustees take action on certain suggested changes in plan of procedure for sale of Murphy Act lands. Also present were J. C. Moore, Deputy Clerk of Duval County and Charles McCormick, Chief Deputy Clerk of Hillsborough County.

Suggestions submitted by the Clerks' Association January 3rd, were read. Mr. Bennett stated that these suggestions were made mainly to simplify sales and would mean very little change in the procedure outlined by the Trustees December 12, 1939.

Mr. Elliot stated that he believed the Trustees had tentatively agreed on most of the suggestions presented at the previous meeting, to which the Clerks now recommend an addition to cover base bids. He explained that the reason for the minimum or base bid suggested by the Clerks was to eliminate bids too small to consider and to save time and work in useless handling of such bids; that it was the Clerks' thought that if the Trustees would fix an amount which they felt would justify consideration, in the event no higher bid was made, it would be very helpful to the Clerks as well as afford applicant information as to the low mark at which bidding should start.

Upon discussion of the suggestions, Comptroller Lee was of the opinion that they would work a hardship in some cases. He stated that several specific cases had been called to his attention where it was shown that through error one tax certificate had escaped redemption through no fault of the landowner; that all other taxes had been kept up but on account of this one certificate he would have to make a bid in line with the value of the land when the certificate represented only one year's taxes.

It was explained that cases of this kind could be treated differently; that the suggestions recommended were intended to take care of cases of a general nature and that special cases could be considered on their individual merits.

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The Trustees recessed to meet at 2:45 P. M.

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AFTERNOON SESSION,  
Same Members Present.

Discussion was resumed on suggestions from the Clerks.

Comptroller Lee was of the opinion that the Trustees did not have authority to specify a minimum bid from which bidding must start; that if \$2 was the highest bid received, and the land was not worth more than that, that such bid be accepted.

Attorney General Gibbs read Section 9 of Chapter 18296 and stated that the legislature made no appropriation from which to pay costs of these sales; that the Act did give the Trustees power to make rules and regulations for selling the land in order to bring in sufficient funds to pay costs and it was his opinion that there was authority to fix a minimum or base bid, or an amount to cover costs.

The Attorney General moved that the following general Rules and Regulations pursuant to Section 9 of Chapter 18296, to be promulgated by the Trustees of the Internal Improvement Fund with reference to sale of lands to be made by them under such Section, shall be as follows:

**"ADVERTISE UPON APPLICATION:**

1. Advertisement to be made in a newspaper, if of daily publication on the Friday between the 4th and 10th of each month, or if weekly publication on the day of publication of said weekly paper. If two publications are made in each month and two sales held then date publication to be two weeks from date given above.
2. Parcels advertised to be sold at public outcry, not less than 15 days from date of publication and not more than 30 days from date of publication.
3. Clerks will cause to be advertised as many parcels as possible in one advertisement.

**APPLICANT TO PAY UPON APPLICATION FOR FOR PUBLICATION:**

1. Cost of advertisement.
2. Clerk service fees.
3. Base Bid: (Base bid on each parcel to be 25% of assessed value appearing on the 1932 Tax Assessment Roll or 1933 Tax Sale Certificate, or the amount of the taxes due, including current year, or an equal amount whichever be the lesser, except in cases where otherwise directed by the Trustees.)

**SALE:**

1. Sale to be held by Clerk on day indicated in notice between the hours of 10:00 A. M. and 2:00 P. M.



2. Parcel will be declared sold to the highest and best bidder for cash, subject to acceptance by the Trustees.
3. Purchaser pays all cost in addition to bid. If purchaser not original applicant, then original applicant's deposit to be refunded by Clerk.

#### CLERK'S REPORT:

1. Report to show description of parcel sold, number of each certificate embracing said parcel or any part thereof. Each certificate and parcel to be listed on separate line on report. Report to also show the amount of bid and name of bidder.
2. Report to be made monthly, not later than the 10th of the following month after sales.

#### DEEDS:

1. Deeds to be executed by Trustees and forwarded to Clerk for delivery to purchaser."

Motion of the Attorney General was seconded by Mr. Mayo.

The Attorney General having been requested to take over the Chairmanship of the meeting, Comptroller Lee stated that he had heretofore gone on record as being opposed to action taken with reference to rules and regulations and was still opposed to advertising only the lands applied for; that he was opposed to fixing a minimum bid or indicating in any way that a prospective bidder had to deposite a definite amount as a requirement precedent to sale. For above reasons he would vote against the motion.

Chairmanship resumed by Comptroller Lee.

It was agreed to allow discussion of the motion by parties other than membership of the Trustees.

Mr. H. J. Hamilton, Attorney of West Palm Beach, stated that he represented tax payers in his County and through error on the part of county officers a tax certificate had been unredeemed; that they had furnished written description of the land and had tendered the amount of \$2000 in payment for such certificate; that the certificate was still outstanding and they were out the \$2000 as well. He did not feel that his client should be required to come in and bid the same as any other bidder when it was not his fault that the certificate was unredeemed.

The Trustees informed Mr. Hamilton that the provision for excepting certain cases would take care of his situation and requested that he submit his request in writing to be filed with the board.

Vote was called on motion of the Attorney General, resulting in adoption of the motion by a vote of three to one, Comptroller Lee voting in the negative.

Chairman ship taken over by the Attorney General.

Comptroller Lee stated that having opposed the motion all along and having explained his reasons therefor, he was now willing to go along with the majority and moved that the motion of the Attorney General be unanimously adopted. Whereupon the motion was unanimously adopted.

Mr. Clarence H. Martin, city attorney for Port Tampa City, informed the board that in connection with the Southeastern Army Air Base his city had agreed to convey certain parcels of land which reverted to the State under the Murphy Act; that these parcels were subdivided into numerous small lots and blocks and if it could be arranged so that the City could get possession of the property, the area necessary for the Air Base would be conveyed to the Government and the City would retain sufficient areas necessary to meet requirements of holders of tax notes against the City. He explained that the City had foreclosed tax liens against this property and the title had not been contested by any former owner. It was urged that the Trustees consider this as an exceptional case.

The Trustees requested Mr. Martin to submit a concrete plan in order that they might have the information on file, and that he take the matter up with the Clerk of the Court for having the land advertised.

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Comptroller Lee was excused from further attendance at the meeting.

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Mr. Elliot submitted bid of \$679.18 from Mrs. Marie Morrison of Crawfordville, to purchase sections 30 and 31 of Township 3 South, Range 3 West, Wakulla County, containing 1282 acres.

The Clerk of the Circuit Court furnished information that Mrs. Morrison was the former owner of the land; that it was advertised as required by the Trustees and that the bid of Mrs. Morrison was equal to all taxes due and was the highest and best bid received on date of sale.

Motion was made, seconded and adopted to accept \$689.19 bid by Mrs. Morrison for Sections 30 and 31, Township 3 South, Range 3 West, Wakulla County, containing 1292 acres, and it was ordered that deed be executed and transmitted to the Clerk of the Circuit Court of Wakulla County for delivery to Mrs. Morrison.

Bid of \$50 was submitted from Board of County Commissioners of Citrus County to purchase Blocks 19 and 25 of Parson's Point Addition to Hernando, in Sections 24 and 25, Township 18 South, Range 19 East, Citrus County, containing approximately 10 acres.

The Clerk furnished information that the land was advertised according to instructions from the Trustees; that the offer was a fair price for the land; that the Board of County Commissioners had already spent considerable money in surveys and preliminary work incident to establishing a breeding place for young fish, and that a resolution had been adopted by the County Commissioners requesting that the Trustees accept the bid.

Motion was made, seconded and adopted to accept bid of \$50 from Board of County Commissioners of Citrus County for Blocks 19 and 25, Parson's Point Addition to Hernando, in Sections 24 and 25, Township 18 South, Range 19 East, Citrus County.

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#### INTERNAL IMPROVEMENT FUND LANDS

Mr. Bayless presented application of Lawrence Rogers, Kissimmee, on behalf of Mrs. Pat Johnson, for deed to approximately 7.40 acres of marginal land on Lake Tohopekaliga in the City of Kissimmee, and submitted an offer of \$150 for the tract. Information was given that Mr. Pat Johnson, during his life, had spent thousands of dollars in reclaiming this land thinking it was a part of his property.

Motion was made, seconded and adopted to defer action on the offer from Mrs. Johnson until such time as the Governor could be present.

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Upon motion seconded and adopted, the Trustees agreed to grant grazing lease for one year to Mr. Thomas A. Cason, Lorida, covering 153 acres of State land in Section 22, Township 35 South, Range 30 East, Highlands County.

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The Trustees postponed action on application of Wayne Thomas, Plant City, to purchase Hillsborough County land which vested in the State under the 1929 Foreclosure Act, until a meeting at which the Governor could be present.

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Motion was made seconded and adopted to issue Grazing lease for a period of one year in favor of I. E. Scott, Moore Haven, covering 224 acres in Section 7, Township

40 South, Range 33 East, Glades County, located between Lakeport and Elderberry. Payment to be 15 cents an acre.

Motion was made, seconded and adopted to accept offer of ten cents (10c) an acre from Lewis Taylor, Lorida, for one-year grazing lease on 111 acres of State land in Section 33, Township 35 South, Range 31 East, Highlands County.

Mr. Bayless presented request from Consolidated Operations Corporation, Jacksonville, for lease or permit to explore, mine and remove ilmenite, zircon, rutile and accessory minerals from sovereignty lands under the waters of Indian River in Brevard County with an offer of \$1 per ton for all minerals taken.

Motion was made seconded and adopted to refer the application to Mr. Gunter, State Geologist, for report.

Offer of \$15 an acre was submitted from Dr. Walter Seigmeister, Lorida, for 273.3 acres of land in Sections 29, 32 and 33, Township 35 South, Range 31 East, Highlands County, located in the vicinity of Lake Istokpoga.

The Trustees deferred action on request of Dr. Seigmeister pending examination and report by the Field Agent.

Mr. Bayless submitted statement of 1939 taxes due by the Trustees on State lands in two sub-drainage districts as follows:

Pelican Lake Sub-Drainage District.....	\$2,539.20
Pahokee Drainage District .....	1,842.66
	<hr/>
	\$4,381.86

Motion was made, seconded and adopted to pay 1939 taxes due by the State on lands in Pelican Lake Sub-Drainage and Pahokee Drainage Districts, and that request be made for discount of Four per cent (4%) as statements were not received in time for the Trustees to take advantage of this discount in November.

Motion was made, seconded and adopted to decline offer of \$9600 from G. A. Hubbell for the purchase of Section 31, Township 43 South, Range 39 East, Palm Beach County.

Mr. Elliot presented letter from Mr. Charles R. Pierce, Miami, representing several parties conducting business



on Upper Matecumbe Key, protesting against squatters occupying State land along the Over-Seas Highway and building unsightly shacks thereon without permit from the Trustees. The Trustees were urged to have these parties removed from the land.

Motion was made, seconded and adopted that the matter be referred to Mr. Bayless for taking the necessary steps.

The following bills amounting to \$3,227.02 were approved and checks ordered drawn in payment therefor:

M. C. McIntosh, Asst. Atty. General, Expense Account .....	\$ 11.20
S. S. Savage, Ocala, Fla.—Expense Account .....	94.20
W. B. Granger, Belle Glade, Fla. ....	27.00
Legal News, Jacksonville, Fla. ....	15.00
Fred B. Noble & S. S. Blondheim, Jacksonville, Fla. ....	35.00
American Oil Co., Jacksonville, Fla. ....	17.44
Standard Oil Co., Jacksonville, Fla. ....	15.79
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	.50
Western Union Telegraph Co., Tallahassee, Fla. ....	4.64
Southeastern Telephone Co., Tallahassee, Fla. ....	6.25
Everglades Fire Control District, Lake Worth, Fla. ....	3,000.00
	<hr/>
	\$3,227.02

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
January 23, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

Minutes of January 3rd and 9th presented and approved.

Mr. I. G. Atwell of West Palm Beach, submitted application of Dr. Pedro Grau to purchase Sections 5, 9, 15, 23, 27, 35 and E $\frac{1}{2}$  of Section 17, Township 42 South, Range 38 East, Palm Beach County, and offered \$20 an acre for the 4160 acres. It was explained that this land was desired by Dr. Grau for the growing of sugar cane and other agricultural development.

Upon motion seconded and adopted the Trustees agreed to advertise for bids the land applied for by Mr. Atwell provided his client will bid not less than \$20 an acre on date of sale, and also deposit with the Trustees prior to advertising \$500 as good faith that he will bid the amount offered should no higher bid be received. In the event applicant is the highest bidder his check for \$500 will be credited on first payment of the ten-year Sales Contract; if not the highest bidder his deposit to be returned. Also should there be no higher bidder and applicant fails to purchase the land advertised, the \$500 deposit will be forfeited to the Trustees. Purchaser to pay cost of advertising the land for sale.

Mr. Atwell, on behalf of Dr. Grau, stated that the action taken was acceptable.

Mr. Harley Watson of Arcadia submitted an offer of \$8000 for the purchase of 130 acres of land described as follows:

NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; SE of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; N $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; N $\frac{1}{2}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; S $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 11, Township 44 South, Range 35 East, Palm Beach County.

Mr. Watson explained that if he could buy this land he would be in position to trade with an individual for 150 acres north of the tract applied for, in which event he desired that contract from the State cover the 150 acres instead of the State's land.

Upon discussion, motion was made seconded and adopted to accept offer of Mr. Watson and agree to his request for placing under contract the 150 acres to be received by him in exchange for the State land.

Mr. Bayless reported that there were a number of individual tax certificates outstanding against land in Glades County on which the Trustees hold mortgage and that

the Clerk of the Court had given notice that tax deeds would be applied for immediately.

Motion was made seconded and adopted that the Trustees redeem from the individual tax certificates the land on which they hold mortgages listed as follows:

Certificate No. 1685 Sale of 1921—Mortgage No. 16688	
Certificate No. 760 Sale of 1929—Mortgage No. 16688	
Certificate No. 4479 Sale of 1933—Mortgage No. 16688	
Amount necessary to redeem .....	\$ 79.80
Certificate No. 1683 Sale of 1921—Mortgage No. 16678	
Certificate No. 758 Sale of 1929—Mortgage No. 16678	
Certificate No. 4475 Sale of 1933—Mortgage No. 16678	
Amount necessary to redeem .....	91.51
Certificate No. 411 Sale of 1932—Mortgage No. 16644	
Certificate No. 412 Sale of 1932—Mortgage No. 16644	
Certificate No. 413 Sale of 1932—Mortgage No. 16644	
Certificate No. 4683 Sale of 1933—Mortgage No. 16644	
Amount necessary to redeem .....	24.87
Certificate No. 972 Sale of 1928—Mortgage No. 16686	
Certificate No. 4703 Sale of 1933—Mortgage No. 16686	
Amount necessary to redeem .....	77.94
Certificate No. 952 Sale of 1928—Mortgage No. 16728	
Certificate No. 953 Sale of 1928—Mortgage No. 16728	
Certificate No. 837 Sale of 1931—Mortgage No. 16728	
Certificate No. 4463 Sale of 1933—Mortgage No. 16728	
Certificate No. 4464 Sale of 1933—Mortgage No. 16728	
Amount necessary to redeem .....	95.46
Certificate No. 440 Sale of 1922—Mortgage No. 16741	
Certificate No. 785 Sale of 1929—Mortgage No. 16741	

Certificate No. 4677 Sale of 1933—Mortgage No.  
16741

Amount necessary to redeem ..... 72.44

Checks were ordered issued to the Clerk of the Court of Glades County in payment of the above amounts; the Clerk to transmit to the Trustees the certificates enumerated.

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**AFTERNOON MEETING OF TRUSTEES  
ALL MEMBERS PRESENT EXCEPT  
GOVERNOR AND COMPTROLLER**

Mr. Bayless submitted application from John C. Gramling, Miami, on behalf of Mrs. Laurie M. Tobin, to purchase 3.04 acres of submerged land in Biscayne Bay adjoining her upland property described as Lot 1, John F. Collins S/D in Section 30, Township 53 South, Range 42 East, Dade County. Mrs. Tobin desires to fill in this area out to the bulkhead line and protect her property. An offer of \$750 is made for the tract.

Motion was made, seconded and adopted to accept offer from Mrs. Tobin of \$750 for 3.04 acres of submerged land adjacent to her upland property located on the South side of 36th Street, applicant to pay cost of advertising.

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Application was presented from J. C. Chewning of West Palm Beach, for five year grazing lease on 680 acres of State land in Palm Beach County, located in Section 1, Township 44 South, Range 40 East, and the Hiatus Lots. He submitted an offer of ten cents (10c) an acre annually.

Mr. Bayless reported that the land applied for was a sandy flat area located about six miles east of 20-Mile Bend on the south side of the Canal.

The Trustees were opposed to leasing the land applied for for a period of five years at the price offered, but motion was made seconded and adopted that Mr. Chewning be granted a One-year lease on the area upon payment of Ten cents (10c) an acre.

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Offer of six cents an acre was submitted from Mr. Cyril Baldwin for grazing lease on 3360 acres of State land in the East half of Township 46 South, Range 32 East, Hendry County. Request was made that the lease run for a period of from three to six years in order to place the land under the U. S. Soil Conservation program.

Motion was made seconded and adopted to decline offer of Six Cents (6c) an acre for lease applied for by Mr. Baldwin, but it was agreeable to issue five-year lease on



the area applied for upon payment of ten cents an acre annually for the first two years; fifteen cents an acre for the third year; twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year, conditioned that the land be placed under the Federal Soil Conservation program, and that hunting privileges be reserved to the public.

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Application was presented from David A. Watt, St. Petersburg, offering \$125 plus advertising costs for 41/100 acres of submerged land adjacent to his upland property in Section 1, Township 31 South, Range 15 East, Pinellas County, fronting on Boca Ceiga Bay, which was recently purchased from the State at a price of \$200 an acre.

Motion was made seconded and adopted to accept offer of \$125 from Mr. Watt for the parcel of land applied for, applicant to pay cost of advertising. The land was ordered advertised as provided by law.

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Motion was made, seconded and adopted to decline offer of \$25 from G. R. Lee, Bay Pines, for one-fourth of an acre of submerged land adjoining his property on Boca Ceiga Bay, Section 15, Township 31 South, Range 15 East, Pinellas County.

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The Trustees deferred action on proposal from A. G. Shands, representing Orange Lake Muck Farms Company, for adjustment of land purchase contract.

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Mr. Bayless informed the Trustees that pursuant to action taken at the January 9th meeting he had referred to State Geologist Herman Gunter the application from Consolidated Operations Corp., of Jacksonville, for lease to explore, mine and remove Ilmenite, Zircon, Rutile and accessory minerals from sovereignty lands under the waters of Indian River in Brevard County.

Dr. Gunter's report is that these minerals sell for approximately \$20 per ton and that the processing is quite expensive. He thinks the offer of \$1 a ton is a fair price and would like to see such a plant located in the area applied for.

Motion was made seconded and adopted that action be further deferred on application of Consolidated Operations Corp., and that the Land Clerk confer with the Conservation Department as to any possibility of conflict with the conservation program.

Motion was made seconded and adopted to defer action on offer from Wayne Thomas of \$1 an acre for Hillsboro County land which vested in the State under Chapter 14572, Acts of 1929.

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Application was presented from F. W. Hudson of Hudson & Cason, Attorneys of Miami, to purchase lake bottom land adjacent to upland property on Kreamer Island, offering \$15 an acre for 151.45 acres.

Information was furnished that this land was sold to Mr. Hudson some years ago in the name of Kreamer Sugar & Syrup Company at a price of \$50 an acre, but the company defaulted in payments, the mortgage was foreclosed and Master's deed received by the Trustees in July 1938. Applicant now has opportunity to sell his upland if he can get possession of the lake bottom land for inclusion in the sale.

Motion was made seconded and adopted to defer action on application of Mr. Hudson until a full membership of the board is present.

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Application was presented from Walter P. Fuller, St. Petersburg, representing Paul D. Camp, offering \$100 an acre for submerged land in Section 33, Township 31 South, Range 16 East, Pinellas County.

Motion was made seconded and adopted to defer action on request of Mr. Fuller until a full membership of the board can be present.

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An offer of \$150 was presented from Mr. Lawrence Rogers, Kissimmee, in behalf of Mrs. Pat Johnson to purchase approximately 7.40 acres of marginal land on Lake Tohopekaliga in the City of Kissimmee.

Action was deferred for a full membership to be present.

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Mr. Elliot submitted offer of \$75 from Herbert D. Beck for purchase of the Trustees equity in the E $\frac{1}{2}$  of Lot 24, except R.R.R/W, Section 31, Township 43 South, Range 37 East, Palm Beach County, covered by Drainage Tax Sale Certificate No. 1229, total amount of which is \$170.98. Evidence was furnished that applicant represents the present title holder of the land.

Motion was made seconded and adopted to decline offer of \$75 but it was agreeable to sell the State's equity in the whole Lot for a consideration of \$200.

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Motion was made seconded and adopted to decline offer of \$400 from Williams & Dart, Sarasota, on behalf of Ed-

ward D. Shoor, for the purchase of Lots 11, 12, 13, and 15, W. B. Harvard's S/D of Sarasota. The Trustees were of the opinion that the price offered was not sufficient for the land, applicant not being the former owner.

Application was presented from L. L. Williamson, Ft. Pierce, to purchase cross-tie timber on six sections of land in Martin County, which land vested in the State through foreclosure under Chapter 14572, Acts of 1929. Mr. Williams estimates that the timber will cut approximately 15,000 ties. No offer was submitted.

Upon motion seconded and adopted, the application was referred to the Land Office with instructions that Mr. Savage, Field Agent, make examination and report as to amount of timber on the land.

The Secretary presented resolution adopted by the Board of Representatives of the City of Tampa, requesting that the Trustees grant application of the State Road Department for right of way over and across Old Tampa Bay necessary in the construction of a free causeway and bridge from Tampa to St. Petersburg.

Motion was made seconded and adopted to defer action on this subject until a hearing can be arranged at which all interested parties may be present.

Request was submitted to the Trustees that Section 4 of Oil Lease issued December 12, 1939 to Clark and Driggers, be amended to allow Lessees twelve (12) months within which to make bond, instead of two (2) months.

Upon discussion, motion was made seconded and adopted that supplemental agreement be executed in favor of Clark and Driggers, allowing twelve (12) months from date of lease for making bond, all other terms and conditions to remain in effect as provided in Lease dated December 12, 1939.

The following bills amounting to \$6,023.95 were approved and checks ordered drawn in payment therefor:

F. C. Elliot, Engineer and Secretary—January Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—January Salary .....	275.00
M. O. Barco, Clerk and Stenographer—January Salary .....	175.00
Jentye Dedge, Clerk and Stenographer—January Salary .....	175.00
H. L. Shearer, Clerk in Land Office—Part time—January Salary .....	50.00

S. S. Savage, Ocala, Fla., Field Agent—January Salary .....	200.00
M. C. McIntosh, Asst. Atty. General, Expense Account .....	12.70
Pelican Lake Sub-Drainage District, Canal Point, Fla., Taxes on Trustees land within District—Year 1939 .....	2,488.42
Pahokee Drainage District, Canal Point, Fla., Taxes on Trustees land within District—Year 1939 .....	1,805.81
D. S. Weeks, Clerk Circuit Court, Moore Haven, Fla. To State and County tax certificates against land in Glades County on which Trustees hold mortgages—Certificates purchased by individuals under Murphy Act .....	442.02
	<u>\$6,023.95</u>

#### REFERENCE TO LANDS UNDER SECTION 9, CHAPTER 18296

Mr. Elliot reported that he had ready for consideration the following forms necessary in connection with sale of lands under Chapter 18296:

1. Instructions to Clerks adopted January 9, 1940, with a suggested change in the wording without changing the meaning.
2. Notice for advertising lands for sale.
3. Form of Deed.
4. Form of Clerk's Report of Bids.

The forms with suggested changes were read and discussed, whereupon, motion was made, seconded and carried that the above listed forms as amended be adopted, except the Deed Form which was referred to the Attorney General for revision.

Mr. Elliot reported that it would be necessary to have printed two of the forms adopted in the foregoing paragraph.

Upon motion seconded and adopted the Secretary was authorized to have the following forms printed:

- 10,000 Deed Forms.
- 10,000 Form for Clerk's Report of Bids.

Mr. Elliot submitted bids on land located in Alachua, DeSoto, Indian River, Manatee and Taylor Counties, and stated that evidence had been furnished that the various parcels had been advertised as required under Section 9 of Chapter 18296.



Motion was made, seconded and adopted to defer action on bids submitted until a meeting at which the full membership can be present.

Mr. Elliot reported that he had been informed by Tax Assessors over the State that they are unable to make up their 1940 tax rolls until they have a list of the land which reverted to the State under Section 9 of Chapter 18296. Also that inquiry is being made as to what fees the Tax Assessors may expect for services rendered in connection with Murphy Act lands.

Information was furnished that the Trustees had requested the Clerks of the Circuit Courts to transmit to the Tax Assessors in their respective counties a copy of the list of certificates certified to the Trustees.

It was the opinion of the Trustees that the Tax Assessors would receive their lists from the Clerks of the Circuit Courts as instructed.

Action was deferred on matter of payment to Tax Assessors for services rendered in connection with Murphy Act Lands.

Mr. Elliot stated that various questions were being asked, some of the most common being the following, and he would like to have the Trustees indicate the answers they desired made to such questions:

1. Are certificates on lands improperly assessed void?
2. Is the Murphy Act operative against homesteads?
3. Will lands be advertised in counties where lists have not been furnished the Trustees?

The action of the trustees on the above questions was as follows:

As to 1: The Trustees have no authority with reference to erroneous certificates. The comptroller has authority to handle such certificates as heretofore.

As to 2: If the certificates were issued the year the property was exempt, it would be the same as if the taxes were paid, but if before homestead exemption applied the certificates would be properly issued.

As to 3: Lands will be advertised in counties where lists have not been compiled and furnished the Trustees upon certificate from the Clerk that such land is covered by a certificate which came to the State under Chapter 18296.

The Secretary submitted offer of \$100 from the City of Port Tampa, represented by Clarence H. Martin, City Attorney, for approximately 660 Lots and 29 full Blocks within the City limits, all of which were acquired by the City through foreclosure of municipal tax liens. It was represented that a portion of this tract would be conveyed without cost to the United States to be used in connection with the Air Base being constructed at that point. The remaining lots will be disposed of to satisfy indebtedness which has been outstanding for sometime.

The Trustees were of the opinion that any land coming to the State under Section 9 of Chapter 18296 would have to be advertised, but the application of the City of Port Tampa was referred to the Attorney General for further examination and report.

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Letter was presented from Civil Aeronautics Engineer of the United States, requesting permit to use land which vested in the State under Chapter 18296 as a site for a Beacon Tower and house for generator and gasoline tanks. The location requested is at the intersection of South New River and Miami Canals, west of Ft. Lauderdale and is desired in connection with Miami-Tampa Airway route.

Motion was made seconded and adopted to refer request of the Civil Aeronautics Department to the Attorney General for opinion as to whether or not the Trustees have authority to grant such permit.

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Request was submitted from Wm. W. Thompson of Tampa, representing W. J. Placie, for quit claim deed from the State to a lot in Hillsboro County. Statement was made that a certificate was erroneously issued against the lot and came to the State under Section 9 of Chapter 18296. The facts were certified to the Comptroller's office and the certificate was cancelled but Federal authorities decline to make loan on the property without quit claim deed from the State, it being contended that such certificate creates a cloud on the title.

Motion was made, seconded and adopted to refer request of Mr. Placie to the Attorney General, the Trustees being of the opinion that they had no authority to act in the premises.

Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
January 30, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Minutes of the Trustees dated January 23, 1940, submitted and approved.

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#### CONSIDERATION OF LANDS UNDER CHAPTER CHAPTER 18296, ACTS OF 1937

Comptroller J. M. Lee presented request from William E. Thompson, on behalf of W. J. Placie, Tampa, Florida, that the Trustees execute disclaimer to Lots "B," "C" and "D" in Tibbett's Addition to Harbor View, Hillsborough County, as recorded in Plat Book 10, Page 14, Public Records of Hillsborough County, Florida, evidence having been submitted that a drainage sewer passes under and across the lots described; that such lots were erroneously assessed for taxes for the years 1926, 1930, 1931 and 1933, and Tax Certificates Nos. 1180, 4365, 4906 and 9378 were erroneously issued against the purported lots representing the drainage sewer; that erroneous assessment was not discovered until after June 9, 1939, on which date title to land covered by State and County tax sale certificates vested in the State by virtue of Section 9 of Chapter 18296, Laws of Florida, Acts of 1937; that a thorough investigation has disclosed that the lands described by letters "B," "C" and "D" were not subject to taxation. Such evidence having been submitted, the Comptroller, in compliance with the Statutes, authorized and directed that such certificates be cancelled.

Upon consideration of the statements above and in order to remove any possible cloud upon the title to Lots "B," "C" and "D" of Tibbett's Addition to Harbor View, Hillsborough County, motion was made, seconded and adopted that the Trustees of the Internal Improvement Fund, on behalf of the State of Florida, disclaim any right,

title or interest in the said Lots and directed that Disclaimer as approved by the Attorney General be executed and delivered to Comptroller Lee for transmittal to Mr. Placie.

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Pursuant to action of the Trustees January 23rd, referring to the Attorney General request from the City of Port Tampa to purchase approximately 661 Lots and 29 Blocks in or adjacent to the City of Port Tampa under Section 9 of Chapter 18296 for a consideration of \$100, report was called for. The Attorney General read in full the request of the City of Port Tampa as submitted by its attorney, Charles H. Martin, and advised the Trustees that he could see no objection to waiving the rules and allowing the City of Port Tampa to submit as a base bid the amount of \$100 for the Lots applied for, but under the provisions of Section 9, Chapter 18296, the Trustees Would be required to have the land advertised.

Motion was made, seconded and adopted that the Trustees make an exception to the rules and regulations heretofore adopted by them in respect to base bid, and allow the City of Port Tampa to submit \$100 as its base bid on the lots and blocks described in application to the Trustees January 11, 1940, accompanied by request from the City to the Clerk of the Circuit Court, as Agent for the Trustees, that the said lands be advertised; that in all respects except as to base bid the procedure be followed in accordance with the rules and regulations of the Trustees, including payment of cost for advertising and Clerks fee.

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On January 23rd the Trustees referred to the Attorney General the request from the Civil Aeronautics Authority, by Wm. L. Matthews, Jr., Airway Engineer, for permit to use a 40 X 40 foot lot in the SW $\frac{1}{4}$  of Section 29, Township 50 South, Range 38 East, on South New River Canal, on which to locate a beacon tower. Also a tract 12' X 14' in Section 27, Township 50 South, Range 39 East, (8 miles East of the Beacon tower site) on which to house generator and gasoline tanks. Statement was made that these parcels of land reverted to the State under Section 9 of Chapter 18296.

The Attorney General reported that although he had rendered an opinion to the effect that the Trustees might grant the State Road Department easements over Murphy Act lands, that the Civil Aeronautics Authority's request was entirely different as it appeared that the structures to be erected would be of a permanent nature and the Trus-



tees had no authority to give away land of this character to the Government, it was therefore his opinion that the Trustees could not grant the permit.

Motion was made, seconded and adopted that the Civil Aeronautics Authority be advised that the Trustees are unable to comply with the request for permit to locate beacon tower and other structures on the land applied for.

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Mr. Elliot stated that in the form of Notice adopted for advertising land under Chapter 18296, the time for receiving bids was from 10:00 A. M. to 2:00 P. M., but as certain of the Clerks had pointed out that it would take longer than four hours it was suggested that the Notice be amended so as to start bidding at 10:00 A. M., and continue as long as necessary.

Motion was made, seconded and adopted that the change in the notice as suggested by Mr. Elliot be made and that the Clerks be so notified.

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The Trustees having referred to the Attorney General the preparation of deed form for conveying land under Section 9 of Chapter 18296, form as approved by the Attorney General was submitted and upon motion, seconded and carried, was adopted as the form of deed to be used in conveying lands under said Chapter.

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Attorney General Gibbs reported the filing of suit in Citrus County Court by A. S. King, seeking temporary injunction against sale of lands by the Trustees under Chapter 18296—the Murphy Act.

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Mr. Elliot reported that approximately 500 bids had been received for the purchase of land under Section 9, Chapter 18296, and were ready for consideration.

It was agreed that the Trustees meet at 10 o'clock Wednesday morning, January 31st for considering bids under Chapter 18296.

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#### INTERNAL IMPROVEMENT FUND MATTERS

Attorney General Gibbs reported that County Commissioners of Levy County have requested a hearing before the Board of Commissioners of State Institutions and the Trustees of the Internal Improvement Fund on the subject of establishing a work camp of State prisoners on land in Levy County, which land came to the State under Chapter 14572, Acts of 1929. The County Commissioners

desire that the Trustees dispose of sufficient timber on the land to provide revenue for enabling the Board of State Institutions to establish such camp.

Upon motion seconded and adopted, it was agreed to hear Levy County delegation at some date convenient to both boards.

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Mr. Charles G. Hannock of Miami, came before the Trustees and presented application of Mr. John L. Patten for lease to remove fill material from an area comprising 12 acres lying between the meander of Government Lot 6 in Section 2, Township 52 South, Range 42 East, and the East right of way of Intracoastal Waterway channel, Dade County. An offer of One Cent (1c) per cubic yard, or a flat price of \$600 was made for the material necessary to fill Mr. Patten's property out to the bulkhead.

Mr. Elliot reported that upon application from Mr. Patten to the War Department for permit to dredge fill material he had filed objection on behalf of the Trustees to issuance of permit on the ground that applicant had not made arrangements with the Trustees for taking the fill material. Mr. Patten now offers to pay for such material on the basis as above.

Upon discussion, the Trustees were of the opinion that the price offered was too low, and therefore declined to issue permit.

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Mr. A. R. Richardson, on behalf of Bessemer Properties, Inc., submitted offer of \$100 an acre for 14.10 acres of sovereignty land in Lake Worth, being a small island and submerged areas in Section 34, Township 43 South, Range 43 East, Palm Beach County, adjoining upland property of applicant.

Upon discussion, motion was made, seconded and adopted to defer final action till the matter can be looked into, however, it was agreed that sale would not be made to other parties without first giving Mr. Richardson an opportunity to be heard.

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Mr. Elliot submitted request from Mr. Claude S. Ginn, Sarasota,—transmitted verbally by Mr. Mayo—that Deed No. 58-34 in favor of Claude S. Ginn, executed by the Trustees December 28, 1938, be re-written and made out in the name of Ginn Investment Company, the deed not having been filed for record in Sarasota County.

Mr. Mayo stated the reasons given him verbally by Mr. Ginn for making the above request.

Upon discussion, the Trustees deferred action and referred the matter to the Attorney General.

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Mr. Mayo requested that the Trustees consider offer of \$150 from Mrs. Pat Johnson of Kissimmee to purchase 7.40 acres of marginal land on Lake Tohopekaliga, in the City of Kissimmee, action having been deferred January 9th till the Governor could be present. Information was given that the late Mr. Johnson had spent thousands of dollars reclaiming the land, thinking it was his property; that recently the City of Kissimmee had a similar application before the Trustees which resulted in sale at a nominal amount.

Motion was made, seconded and adopted that the Trustees accept offer of \$150 from Mrs. Pat Johnson, represented by Lawrence Rogers, for the purchase of 7.40 acres of reclaimed land on Lake Tohopekaliga, within the City limits of Kissimmee.

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Mr. Bayless presented request from A. G. Shands, representing Orange Lake Muck Farms Company, for adjustment of land purchase in 1929.

Motion was made, seconded and adopted that action be deferred on request of Mr. Shands.

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Motion was made, seconded and adopted to defer action on application of Wayne Thomas, Plant City, offering \$1 an acre for land in Sections 4, 5, 6 and 7 of Township 27 South, Range 21 East, Hillsboro County, containing approximately 1800 acres.

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Application was submitted from F. W. Cason of Hudson and Cason, Attorneys of Miami, offering \$15 an acre for lake bottom land adjacent to his upland property on Kreamer Island in Lake Okeechobee, Township 43 South, Range 36 East, Palm Beach County.

Information was given that Mr. Cason purchased this land in 1926 at a price of \$50 an acre in the name of Kreamer Sugar & Syrup Company. The Company defaulted in payments and upon foreclosure by the Trustees, Master's deed was received in July, 1938; that Mr. Cason now offers to purchase the land at a price of \$15 an acre, stating that he has a prospective purchaser for his upland but cannot close the sale until he has possession of the lake bottom described.

Upon discussion it was ascertained that the land applied for lies on the lake side of the Government Levee, where-

upon motion was made, seconded and adopted to decline offer submitted by Mr. Cason for the lake bottom area.

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Motion was made, seconded and adopted to decline offer of \$100 an acre from Walter P. Fuller, St. Petersburg, representing Paul B. Camp, for the purchase of submerged land in Section 33, Township 31 South, Range 16 East, Pinellas County.

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Application was presented from Maule Industries, Ojus, Florida, offering Seven Cents (7c) per cubic yard for removing spoil banks from East Coast Canal in the vicinity of Dumfoundling Bay in Dade County, the material to be used for commercial purposes and in the manufacture of concrete blocks.

Motion was made, seconded and adopted to decline offer of Maule Industries for removing the spoil banks applied for.

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Motion was made, seconded and adopted to accept the following offers for sovereignty land in the town of Port St. Joe, Gulf County, The Trustees on September 14, 1936 sold to applicants 14.84 acres of submerged land adjoining parcels now applied for, but in straightening the bulk-head line this additional area was included:

St. Joe Paper Company, Port St. Joe—	
2 Tracts aggregating 98/100 acres on St.	
Joe Bay .....	\$100.00
Port St. Joe Terminal Company—4.12	
acres on St. Joe Bay .....	400.00
Port St. Joe Dock & Terminal Company—	
3.06 acres on St. Joe Bay .....	300.00

The land was ordered advertised for objections as required by law, applicant to pay cost of publishing notice.

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Mr. Bayless reported that the Trustees recently authorized lease to W. E. Kirchhoff, Jr., for removal of dead-head timber from the Suwannee River, settlement to be based on scale slips to certain mills. It was stated that Mr. Kirchhoff would now like to put in two or three mills along the river and make settlement for logs removed at these points.

Motion was made, seconded and adopted that the Trustees grant request of Mr. Kirchhoff.

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Request was submitted from George A. Spear, Jr., Sanford, on behalf of Chuluoto Company, for quit claim deed



from the Trustees to land in Sections 8 and 9, Township 21 South, Range 32 East, Seminole County. It was represented that this land was conveyed by Trustees' deed to Sara G. Gleason, April 10, 1871, without the signature of the Comptroller of the State of Florida being affixed, and for that reason Chuluota Company, successor in title to Sara G. Gleason, desires quit claim deed.

Motion was made, seconded and adopted that the Trustees request abstract of title from Chuluota Company for examination by the Attorney General, and upon approval by him that quit claim deed be issued to Chuluota Company.

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Application was submitted from George D. Nelson, Inglis, offering \$10 annually for lease on a small spoil area comprising approximately 4 acres at the mouth of the Withlacoochee River, which he desires to use as a fishing camp site for commercial fishing.

Motion was made, seconded and adopted to decline to lease four acres of the land, but it was agreed that one year lease be authorized covering a one-acre tract, upon payment of \$10.

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An offer of \$30 was submitted from G. R. Lee, Bay Pines, for one-fourth of an acre of submerged land adjoining his upland property on Boca Ceiga Bay, Section 13, Township 31 South, Range 15 East, Pinellas County.

Motion was made, seconded and adopted to decline offer of \$30 for the area applied for by Mr. Lee, but it was agreed that applicant be allowed to purchase the land at a price of \$100 plus cost of advertising.

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Upon motion the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
January 31, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Mr. Elliot submitted letter from the U. S. Biological Survey in which request was made that the Trustees extend authority granted in Resolution dated August 12, 1936, dedicating certain areas along the Keys of Florida as a "PROPOSED RESERVATION FOR GREAT WHITE HERON." The Executive Order establishing the refuge did not become effective till October 27, 1938, more than one year after dedication of the areas by the Trustees, and for that reason the Biological Survey desires re-dedication of the land.

Upon consideration of the request, motion was made, seconded and carried that the following Resolution be adopted:

#### R E S O L U T I O N

WHEREAS, On August 12, 1936, the Trustees of the Internal Improvement Fund adopted a certain resolution creating "PROPOSED RESERVATION FOR GREAT WHITE HERON," as shown on map attached to said resolution; and

WHEREAS, Said dedication was conditioned that the same be established by the U. S. Biological Survey within one year from date as above; and

WHEREAS, The establishment of the Reservation by the United States did not become effective till the issuance of Executive Order dated October 27, 1938, which said date was more than one year after the date of dedication by the Trustees, and it being the desire of the said Trustees to effectuate such dedication, now, therefore,

BE IT RESOLVED that the terms of the Resolution adopted by the Trustees of the Internal Improvement Fund August 12, 1936, be extended to July 1, 1940, so as to re-dedicate the areas described in said Resolution.

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The Secretary was requested to furnish copy of the foregoing resolution to the United States Biological Survey, Washington, D. C.

Resolution was submitted from the Board of County Commissioners of Hillsborough County, requesting that the Trustees grant request of the State Road Department for right of way over and across Old Tampa Bay in order that construction of a free bridge connecting the cities of Tampa and St. Petersburg be commenced as early as possible. Also letter from Tampa Automobile Dealers Association, and other parties, were presented requesting that right of way be granted.

Upon motion seconded and adopted, the Trustees deferred action for a full membership to be present and the arranging of a date when all interested parties may be heard.

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#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

The Trustees gave consideration to bids received by them for lands advertised for sale under Section 9 of Chapter 18296, Laws of Florida, Acts of 1937, in the following counties and for the dates named:

<i>County</i>	<i>Date of Advertisement</i>	<i>Date of Sale</i>
Alachua	January 9, 1940	February 5, 1940
DeSoto	December 26, 1939	January 12, 1940
Gulf	January 5, 1940 (December 22, 1939)	January 20, 1940
Indian River	January 5, 1940	January 8 & 22, 1940
Manatee	January 5 & 6, 1940	February 5, 1940
Taylor	January 4, 1940	January 18, 1940

Bids were accepted, rejected or held for further consideration as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

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The Secretary presented request from Mr. Elliot W. Butts, Clerk of the Circuit Court of Duval County, requesting that the Trustees furnish stationery for use in connection with sales under Section 9 of Chapter 18296, the Murphy Act.

Upon consideration of the request motion was made, seconded and adopted that the Secretary have letterheads printed and furnish the various Clerks, as Agents for the Trustees, with a supply sufficient for their needs.

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Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney-General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
February 1, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

J. M. Lee, Comptroller.

George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

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The Secretary presented supplemental offer from John L. Patten, Miami, to take material from the submerged areas in Dumfounding Bay, for which he offers \$3000 to take material from twelve acres.

The Trustees accepted the offer and authorized permit to John L. Patten to take material from twelve (12) acre tract lying between the meander of Government Lot 6 in Section 2, Township 52 South, Range 42 East, and the East right of way of Intracoastal Waterway channel, Dade County; permit to terminate at the expiration of twelve months from its date. Consideration to be cash.

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At the meeting January 30th, the Trustees referred to the Attorney General the request of Claude S. Ginn in reference to change in Deed No. 58-34 executed by the Trustees on December 28, 1938.

The Attorney General advised that the Trustees do not make the change in deed requested by Mr. Ginn for the reason that the transaction was consummated and the Trustees cannot lawfully comply with the request.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.



Tallahassee, Florida,  
February 9, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

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Minutes of the Trustees dated January 30, 31, and February 1, 1940, presented and approved.

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Mr. Elliot presented request from the War Department, U. S. Engineer Office, Jacksonville, Florida, for temporary easement grant on two parcels of land in Hillsboro Bay to be used as spoil disposal areas in connection with construction of Breakwater for Peter O. Knight Field, Davis Island, Tampa, Florida.

Motion was made, seconded and adopted that the Trustees execute Temporary Easement Grant in favor of the War Department to use two parcels of submerged land in Hillsborough Bay on which to deposit spoil material which will not be suitable in the construction of Breakwater for Peter O. Knight Field, Davis Island, Tampa, Florida, such areas being designated as follows:

Parcel S/A No. 1: Commencing at U. S. C. & G. S. Station "A" on Hooker Point, Hillsboro Bay;

Parcel S/A No. 2: Commencing at the U. S. C. & G. S. Station "Ball 2" on the easterly banks of Hillsboro Bay.

The Secretary was directed to have easement executed and forwarded to the U. S. Engineer Office, Jacksonville.

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The following bills amounting to \$454.12 were approved and checks in payment therefor were authorized drawn:

H. E. Carter, Asst. Attorney General, Tallahassee, Fla. ....	\$ 28.70
W. B. Granger, Belle Glade, Fla. ....	24.00
S. S. Savage, Field Agent, Ocala, Fla. ....	255.60
F. C. Elliot, Tallahassee, Fla. ....	5.00
Midyette-Moor Insurance Agency, Tallahassee, Fla. ....	10.00

Wm. Logan Hill, Clerk District Court of U. S., Pensacola, Florida .....	5.00
Elliot W. Butts, C. C. C. Duval County, Jackson- ville, Fla. ....	2.55
Standard Oil Company, Jacksonville, Fla. ....	14.64
American Oil Company, Jacksonville, Fla. ....	18.26
Proctor and Proctor, Inc., Tallahassee, Fla. ....	49.40
H. & W. B. Drew Co., Jacksonville, Fla. ....	16.50
Western Union, Tallahassee, Fla. ....	8.19
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	2.48
Southeastern Telephone Co., Tallahassee, Fla. ....	13.80
F. E. Bayless, Land Clerk, Expense Account .....	18.15
	<hr/>
	\$472.27

Financial Statement for the month of January, 1940, is  
as follows:

#### FINANCIAL STATEMENT FOR JANUARY, 1940 RECEIPTS

Receipts on account of various land sales .....	\$ 981.67
Farm leases .....	3,483.60
Timber Lease .....	294.38
Royalties on sand, shell and gravel.....	665.46
Grazing leases .....	37.77
Pipe line permit .....	75.00
Quit-claim to reservations in deeds.....	45.00
	<hr/>
Total receipts during month.....	\$ 5,582.88
Balance on hand January 1, 1940 .....	98,867.75
	<hr/>
	\$104,450.63
Less disbursements .....	9,250.97
	<hr/>
Balance January 31, 1940 .....	\$95,199.66

#### BALANCES IN BANKS JANUARY 31, 1940

Atlantic National Bank, Jacksonville, Fla. ....	\$66,567.48
Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	9,810.87
	<hr/>
Total in Banks .....	\$94,199.66
Cash on hand and cash items .....	1,000.00
	<hr/>
	\$95,199.66

## DISBURSEMENTS

<i>Date</i>	<i>No.</i>	<i>In Favor of</i>	<i>Amount</i>
1940			
Jan. 11,	11603	M. C. McIntosh .....	\$ 11.20
	11604	S. S. Savage .....	94.20
	11605	W. B. Granger .....	27.00
	11606	Legal News .....	15.00
	11607	Fred B. Noble and S. S. Blond- hein .....	35.00
	11608	American Oil Company .....	17.44
	11609	Standard Oil Company .....	15.79
	11610	Postal Telegraph-Cable Co. ....	.50
	11611	Western Union Telegraph Co. ....	4.64
	11612	Southeastern Telephone Co. ....	6.25
	11613	Everglades Fire Control District	3,000.00
31,	11614	F. C. Elliot .....	400.00
	11615	F. E. Baylers .....	275.00
	11616	M. O. Barco .....	175.00
	11617	Jentye Dedge .....	175.00
	11618	H. L. Shearer .....	50.00
	11619	S. S. Savage .....	200.00
	11620	M. C. McIntosh .....	12.70
24,	11621	Pelican Lake Sub-Drainage Dist. 7 .....	2,488.42
	11622	Pahokee Drainage District .....	1,805.81
31,	11623	D. S. Weeks, C. C. C. ....	442.02
Total Disbursements for January, 1940			\$9,250.97

TRUSTEES OF THE INTERNAL IMPROVEMENT  
FUND UNDER CHAPTER 18296

## Receipts:

Land Sale .....	\$679.18
Balance in Capital City Bank, Talla- hassee .....	\$679.18

CONSIDERATION OF LANDS UNDER CHAPTER  
18296, ACTS OF 1937

The Attorney General reported that request had been made by Crofton and Wilson, Attorneys of Titusville, that the Trustees allow Melbourne-Tillman Drainage District to submit as a minimum bid the amount of twenty-five cents (25c) an acre for land located within the District and now being advertised for sale. It was explained that the land in question was assessed at a much higher valuation than adjoining lands of the same character.

Discussion was had on the subject, but action was deferred till a later meeting.

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At the meeting of January 31st the Trustees held for further information bid on Lot in Port St. Joe, Gulf County. The necessary information having been received the Trustees accepted bid of W. H. Howell for the lot.

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Mr. J. V. Keen, Tallahassee, Florida, appeared before the Trustees on behalf of John H. Treadwell, Jr., Arcadia, who submitted bid at a former meeting on property in Arcadia, DeSoto County, which was occupied by him as a home. Purchase of the property was subsequent to June 9, 1939.

The question of whether or not the Trustees could accept a new bid offered by Mr. Treadwell was referred to the Attorney General for his opinion.

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Mr. Elliot submitted telegram from E. R. Bennett, Clerk of the Circuit Court of Broward County, requesting that the Trustees state their policy with reference to former owner being given opportunity to meet highest bid at close of bidding.

The Trustees directed that the telegram from Mr. Bennett be referred to the Attorney General for attention.

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The Secretary reported that he had numerous inquiries with reference to Chapter 18296, all of which needed legal determination, and suggested that they be referred to the Attorney General for attention.

Motion was made, seconded and adopted that the matters referred to by the Secretary dealing with legal phases of the Act be transmitted to the Attorney General for attention.

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Letter was submitted from Mr. Willard Utley, representing the town of West Palm Beach, requesting information as to the following question:

"In the event the town makes a bid for land under Chapter 18296, against which the City has judgment of foreclosure, and is the successful bidder, could the Trustees leave open the issuing of deeds and from time to time issue deeds to parties to be designated by the Town rather than to the Town itself."



It was the opinion of the Trustees that deeds could not be issued as set forth by Mr. Utley, and the Secretary was requested to so notify him.

The Secretary presented for consideration of the Trustees the question of disbursing funds derived from sale of lands under Section 9 of Chapter 18296, Acts of 1937, and suggested a method of handling. Recommendation was that a different series of checks be provided from those used by the Trustees. Form of proposed check was submitted and discussion had as to whether checks should be signed by all members of the Trustees of the Internal Improvement Fund, or by only one member and the Secretary. It was agreed that in order to expedite the work of disbursing funds derived from sale of lands under Chapter 18296, checks be signed by the State Treasurer and countersigned by the Secretary.

Motion was made, seconded and carried that form of check submitted by the Secretary and approved by C. F. Green, auditor in the Comptroller's office, be adopted, providing for signature of the State Treasurer, countersigned by the Secretary, and that the Secretary be authorized to have the necessary checks printed.

The Trustees gave consideration to bids received by them for lands advertised for sale under Section 9, Chapter 18296, Laws of Florida, Acts of 1937, in the following counties and for the dates named:

County	Date of Advertisement	Date of Sale
Gadsden	January 5, 1940	February 5, 1940
Jackson	January 5, 1940	February 5, 1940
Levy	January 3, 1940	February 5, 1940
Putnam	January 5, 1940	February 5, 1940

Bids were accepted, rejected or held for further consideration as shown by the office records of the Trustee, with disposition to be made of each as indicated by said records.

Upon motion the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
February 24,, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Minutes of the Trustees dated February 9, 1940, presented and approved.

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Mr. C. L. Waller, Attorney of Tallahassee, representing owners of Isle of Dreams Broadcasting Station (WIOD), Miami, submitted application to purchase approximately 5½ acres of submerged land adjacent to 79th Street Causeway, located about six (6) miles from the heart of Miami, on which it is proposed to construct a new broadcasting station.

Mr. Waller was informed that it would be necessary for applicant to procure material to fill the area and permit would have to be gotten from the Trustees for taking such material. Whereupon, Mr. Waller stated that he would submit an amended application including necessary fill material.

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#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. J. V. Keen, Attorney of Tallahassee, representing the City of Miami, came before the Trustees and urged that they take up as an emergency matter the application of the City of Miami to purchase approximately forty (40) lots in a subdivision northwest of Miami, which the City had applied for heretofore to be used in connection with the Airport project.

The Clerk of the Circuit Court of Dade County having transmitted to the Trustees the list of certificates covering the lands applied for by the City, and having submitted evidence that advertisement had been given as required, motion was made, seconded and adopted that the Trustees accept offer of \$299.69 heretofore filed with the Trustees for the land. Deed was ordered issued in favor of the City of Miami.

The City of Coral Gables applied to purchase 18 lots covered by certificates coming to the State under Chapter 18296, which were desired as an Incinerator site. Offer of \$100 was submitted for the lots, which was an amount equal to the taxes.

The Clerk of the Circuit Court of Dade County having transmitted list of certificates and submitted evidence that the land had been advertised as required, motion was made, seconded and adopted that offer of \$100 from the City of Coral Gables be accepted, and deed was ordered issued covering the lots applied for.

The Trustees gave consideration to other bids received by them for lands advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in the following counties and on the dates named:

County	Date of Advertisement	Date of Sale
Indian River	Dec. 22nd & Jan. 5th	Jan. 8th & 22nd
Duval	January 5th	February 5th
Gadsden	January 11th	February 5th
DeSoto	Dec. 2nd, 1939	January 12th
Levy	January 4th	February 5th
Putnam	January 5th	February 5th
Manatee	January 5th	February 5th
Martin	January 4th	February 5th

Bids were accepted, rejected, or held for further consideration, as shown by the office records of the Trustees, with disposition to be made of each as indicated by such records.

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
February 26, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Mr. F. E. Bayless, Land Clerk, submitted an offer of \$200 for Buick car owned by the Trustees, which had been driven approximately 80,000 miles. Statement from Proctor & Proctor, Inc., representatives for Buick cars in Tallahassee, estimated the cash value of the car at this time between \$175 and \$200. Mr. Bayless offered to purchase the Trustees' car at the price offered, furnish his own car when necessary to make trips for the Trustees, and charge mileage at the rate of five cents (5c) per mile, or in lieu thereof requested that the Trustees purchase a new car to be used by him on the Trustees' business. He stated that the Buick car under discussion is unsafe for further travel on the highways.

Upon discussion, motion was made, seconded and adopted that the Trustees accept offer of \$200 from Mr. Bayless for the Buick car, taking note from Mr. Bayless in the above amount due on or before March 1, 1941, without interest. It was further agreed that Mr. Bayless hereafter travel on a mileage basis when making trips away from Tallahassee in the interest of the Trustees. Allowance for mileage to be at the rate of five cents (5c) per mile and to be credited on note of Mr. Bayless until paid in full.

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Motion was made, seconded and adopted to accept offer from Mr. Cyril Baldwin of ten cents (10c) on acre for one-year grazing lease on the following described land in Hendry County:

Sections 1, 3, 11, 15; N $\frac{1}{2}$  and SW $\frac{1}{4}$  of Section 23, and N $\frac{1}{2}$  Section 27, Township 46 South, Range 32 East. Containing 3360 acres.

The Land office was requested to prepare lease in favor of Mr. Baldwin covering the above described land.

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Mr. C. L. Waller, Attorney of Tallahassee, representing Mr. Dan Mahoney of Miami, owner of Isle of Dreams Broadcasting Station, WIOD, submitted application to purchase tract of submerged land in Biscayne Bay, adjacent to 79th Street Causeway, located approximately six miles from central Miami, on which it is desired to erect a broadcasting station. The tract applied for contains 5.5 acres described as being in Section 9, Township 53 South, Range 42 East, Dade County, and an offer of \$500 an acre is made for the submerged area together with sufficient material to fill the tract.



Motion was made, seconded and adopted that the Trustees accept the offer of Isle of Dreams Broadcasting Station of \$500 an acre for the submerged land described, including fill material, acceptance to be subject to concurrence of the Governor.

The above offer having been submitted to the Governor, his approval was given and the land was ordered advertised as required by law, applicant to pay cost of advertising.

The following bills amounting to \$4,629.38 were approved and checks were ordered drawn in payment therefor:

Everglades Fire Control District, Lake Worth, Fla. ....	\$3,000.00
Frank Brothers, Chevrolet Dealers, Naples, Fla. ....	41.58
H. E. Carter, Asst. Attorney General—Expense Account .....	28.85
M. C. McIntosh, Asst. Attorney General—Expense Account .....	36.15
F. E. Bayless, Land Clerk—Expense account.....	39.60
S. S. Savage, Field Agent, Ocala, Fla.—Expense account .....	140.25
Wm. Logan Hill, Clerk U. S. District Court, Pensacola, Fla. ....	6.00
Capital Office Equipment Co., Tallahassee, Fla. ....	27.95
Rose Printing Company, Tallahassee, Fla. ....	14.00
F. C. Elliot, Engineer and Secretary—January salary .....	400.00
F. E. Bayless, Land Clerk—January salary .....	275.00
M. O. Barco, Clerk and Stenographer—January salary .....	175.00
Jentye Dedge, Clerk-Stenographer, January salary .....	175.00
S. S. Savage, Field Agent, Ocala, Fla., January salary .....	200.00
H. L. Shearer, Clerk Land Office—part time January salary .....	50.00
F. C. Elliot, Reimbursement for expense .....	10.00
Postmaster, Tallahassee, Fla. ....	10.00
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	\$4,629.38

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

The Attorney General presented letter from John D. Kennedy, Attorney for Napoleon B. Broward Drainage District, in which he informed the Trustees that approximately 2300 acres of land within the District came to

the State under Chapter 18296, Laws of 1937, and the District would like to acquire this land; that the Trustees of the Internal Improvement Fund own approximately 8,000 acres of land within the district on which they owe taxes for several years in excess of \$100,000. Mr. Kennedy proposed the following as a solution to the problem:

That the Trustees advertise for sale the lands located within Napoleon B. Broward Drainage District which vested in the State under the Murphy Act; that the Drainage District bid for these lands an amount equal to the taxes due by the Trustees of the Internal Improvement Fund on State lands within such District; that General Revenue Fund pay the Trustees the amount it owes on account of loan for State buildings, which would enable the Trustees to pay Broward Drainage District the taxes due on State lands, whereupon Broward Drainage District would endorse the check over to the Trustees in payment for Murphy Act land advertised and bid in by the District.

Upon consideration of the proposal of Napoleon B. Broward Drainage District, the Trustees were of the opinion that they had no legal authority to take the action requested in so far as the Murphy Act lands were concerned. As to General Revenue Fund and the Trustees, neither agency had the funds to carry out the transaction at this time.

The Trustees have consideration to bids received by them for lands advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in the following counties and of the dates named:

County	Date of Adv.	Date of Sale
BREVARD	January 5th	February 5th
CLAY	January 4th	February 5th
DESOTO	(January 4th	(February 5th
	(January 18th	(February 5th
DUVAL	January 5th	February 5th
FLAGLER	January 4th	February 5th
GULF	February 2nd	February 17th

Bids were accepted, rejected, or held for further consideration, as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

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Mr. Ed Hamilton, Attorney of West Palm Beach, came before the board on behalf of his client, 325 First Street Corporation, and requested that the Trustees

execute disclaimer of any interest in the following described land in Palm Beach County:

Lots 13, 14, 15, Block 53 of the City of West Palm Beach, Florida, as shown by map of the Town of West Palm Beach, on file in the office of the Clerk of the Circuit Court of Palm Beach County, Florida.

Mr. Hamilton submitted evidence that the certificate certified to the Trustees under Chapter 18296, Laws of 1937, against this land was erroneous, the oldest certificate outstanding against the lots being dated August 5, 1935.

Upon advice from the Attorney General that there would be no objection to the issuance of the disclaimer requested, motion was made, seconded and adopted that the Trustees execute Disclaimer in favor of Mr. Hamilton's client, 325 First Street Corporation.

The Secretary reported that several of the Counties had failed to certify lists of certificates under Chapter 18296, whereupon the Secretary was directed to notify the Clerk of each county where lists had not been certified to furnish such lists immediately as no sales would be held until the lists were on file with the Trustees.

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
February 29, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

The Attorney General reported that there would be a cost of \$608.73 for printing Bill and supervising record in the case of Fred P. Cone, et al., vs. H. C. Rorick, nec-

essary in submitting the State's case to the United States Court of Appeals.

Motion was made, seconded and adopted that certified check be drawn in payment of the above amount for preparing record in the Rorick case.

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Mr. Bayless submitted application from T. T. Scott, Live Oak, to purchase sawmill timber on 20,000 acres of State land in Levy County, which land vested in the Trustees through foreclosure under Chapter 14572, Acts of 1929, offering \$4 per thousand for hardwood, \$5 per thousand for pine and \$6 per thousand for cypress; also offered \$6 per thousand for all sawmill timber on Sections 10 and 16; E $\frac{1}{2}$  of Section 8, S $\frac{1}{2}$  of Section 4, of Township 45 South, Range 33 East, State owned land in Hendry County. Mr. Scott requested three (3) years within which to remove the timber.

Motion was made, seconded and adopted to defer action on request of Mr. Scott pending receipt of information as to amount of timber on the land.

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The Trustees having declined offer from Maule Industries, Ojus, of 1 $\frac{1}{2}$  cents per cubic yard for removing material from spoil banks in Dumfounding Bay, located on the west side of the Intracoastal waterway, Mr. Bayless reported that the above company had made another offer of Ten Cents (10c) per cubic yard for the material.

Motion was made, seconded and adopted to execute lease in favor of Maule Industries for a period of one year for taking spoil material from the areas applied for, payment to be at the rate of ten cents per cubic yard.

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Mr. Bayless reported that pursuant to action taken January 9th, in reference to letter from Charles R. Pierce, Miami, protesting squatters use of State land along the Over-Seas Highway, he had taken the matter up with the Sheriff of Monroe County requesting that squatters be ejected from State land along the highway. In the meantime letter had been received from Judge E. R. Lowe of Tavanier, interceding in behalf of John W. Albritton, one of the squatters, and enclosing check for \$100 as rental for one year on a parcel of land 100X100 feet on which he desires to operate a fishing camp.

Upon consideration, motion was made, seconded and adopted to defer action on the protest of Mr. Pierce as well as on the application of Mr. Albritton, with instructions that the Sheriff be notified to take no further action in removal of squatters pending notice from the Trustees.



## CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. H. J. Driggers, representing the Board of Commissioners of Broward County, informed the Trustees that Broward County had submitted a bid for certain lands coming to the State under Chapter 18296, Laws of 1937, and had given permission to the State Road Department to use a portion of the tract for a borrow pit. A deed was submitted from the Clerk of the Circuit Court of Broward County, covering the land bid, and Mr. Driggers urged that the Trustees accept the County's bid so that the Road Department might proceed with work on the road.

Mr. Driggers was advised that it would be necessary to have a report from the Clerk of the Court before action could be taken, but as soon as such report was received the matter would have consideration.

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Discussion was had with reference to bid of Melbourne-Tillman Drainage District on a large tract of land in Brevard County, on which the District holds tax liens.

The Attorney General reported that the Supreme Court had not rendered an opinion as to drainage tax liens and until such opinion was handed down the State would hold that title vested in it free of all liens.

The Trustees requested that the Attorney General take the matter up with Melbourne-Tillman Drainage District and explain the Trustees' position in the premises.

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### TRUSTEES MATTERS

The following bill was approved and check ordered drawn in payment therefor:

Oakley F. Dodd, Clerk U. S. Circuit Court of Appeals, Fifth Circuit, New Orleans, La.—Costs in printing records in case of Fred P. Cone, et al vs. H. C. Rorick, et al .....	\$608.75
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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 5, 1940.

The Trustees of the Internal Improvement Fund and the Board of Commissioners of State Institutions met in joint session on this date in the office of the Governor.

Present:

R. A. Gray, Secretary of State.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Messrs. J. P. Kimball and John C. Partin, representing the Board of County Commissioners of Levy County, came before the joint boards and requested that a work camp of State convicts be established on approximately 15,000 acres of land in Levy County, which land vested in the State through foreclosure by the County of State and County tax sale certificates as provided under Chapter 14572, Acts of 1929. It was stated that the Levy County Board feels that there is sufficient timber on the land which if sold would defray the expense of the Camp; that by re-foresting the tract and planting suitable grasses would build up the land and make it far more valuable than it is at present.

Mr. Gray stated that there were probably three factors to be considered: 1. It would require the consent of the Trustees of the Internal Improvement Fund to use the land for the purposes requested; 2. The Board of Commissioners of State Institutions would have to investigate to see if they had legal authority to use convicts in that type of work, and if so what number could be spared; 3. It would probably require the cooperation of the Forestry Department for reforesting the tract.

Upon general discussion of the subject, motion was made, seconded and adopted that the Board of Commissioners of State Institutions and the Trustees of the Internal Improvement Fund request State Forester Harry Lee Baker and Dr. Wilmon Newell of the Experiment Station, University of Florida, to make an investigation as to the feasibility of reforesting and grassing this tract of land; that upon receipt of such report and the opinion of the Attorney General as to the legal status, the joint boards take final action on application of Levy County.

In line with request from Levy County, Mr. Bayless reported that he had an offer from T. T. Scott of Live Oak to purchase timber on the Levy County land owned by the State at the following prices:

\$4 per thousand for hardwood

\$5 per thousand for pine

\$6 per thousand for cypress

based on Mr. Savage's estimate of 1,533,310 of pine, 18,500 feet of cypress and no hardwood to speak of. Also on fee simple land owned by the State in that County—106,000 feet of pine; 8,000 feet of cypress, and 42,500 feet of hardwood.

Upon motion seconded and adopted, the Trustees agreed to sell the timber on State land in Levy County applied for by Mr. Scott, based on estimates of S. S. Savage, Field Agent, at the following prices:

\$6 per thousand for pine and cypress

\$4 per thousand for hardwood

and allow Mr. Scott one year within which to remove such timber.

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Mr. R. E. Hamrick came before the Trustees on behalf of purchasers of Eagle Bay land and offered \$250 for mortgage held by the State on land sold in 1926 to a number of settlers. He informed the board that only 107.2 acres remain under the lien of the Trustees first mortgage; that the district defaulted in bond payments, most of the land being delinquent for taxes; that the United States District Court appointed a receiver for the District some months ago and foreclosure of the tax liens was instituted the latter part of 1939; also that the State now holds State and County tax certificates against the land under the Murphy Act.

Mr. Hamrick urged that the Trustees accept the offer for the State's mortgage in order that these purchasers might come in and take up the Murphy Act certificates and get their land in shape to do something with it.

Motion was made, seconded and adopted to defer action on request of Mr. Hamrick until the board had time to study the situation more thoroughly.

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Mr. H. I. Cone, Jr., submitted application of Dixie Lumber Company of Jacksonville to purchase cypress timber in Lake County, for which he made a cash offer of \$24,000 based on an estimated amount of four or five million feet, or as an alternative proposition, if the Trustees decide to advertise the timber for sale to the

highest bidder he will guarantee a minimum bid of \$24,000.

Mr. Cone and Mr. Evans, President of the Company, were advised that the Trustees have a trespass case covering a portion of the land and it will be necessary to have the full board present before taking action.

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Mr. Elliot reported that he had application from Cope-land & Therrell, Attorneys of Miami, representing Charles E. Starr, for oil lease covering 3840 acres in alternate tracts of land owned by the State in Township 54 South, Range 35 East, Dade County.

Motion was made, seconded and adopted to defer action on this application till the full membership can be present.

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The Secretary presented application from H. M. Forman of Ft. Lauderdale, for grazing lease on part of Tract 1, Section 23; all of Tracts 2 to 8, Tier 23, and Lots 3 and 4, Tier 17, all in Township 50 South, Range 41 East, Newman's Survey, containing 90.41 acres in Broward County, which land vested in the State by virtue of Everglades Drainage tax sale certificates. Mr. Forman offered twenty-five cents (25c) an acre for this land to become a part of a 400 acre lease he recently secured from the Trustees. Check in amount of \$22.75 representing one year's rental accompanied application.

Motion was made, seconded and adopted to accept offer from H. M. Forman for five-year grazing lease on the land described, upon payment of 25 cents an acre annually. The Secretary was requested to prepare such lease for execution.

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The Secretary submitted request from the U. S. Engineer Office, Jacksonville, that Resolution dated October 3, 1939, be replaced by Easement deed covering additional right of ways over and across lake bottom lands of Lake Okeechobee to be used in a tree planting program for protection of the Levee.

Motion was made, seconded and adopted that request of the War Department be granted and that Easement Deed be prepared covering the parcels enumerated in Resolution of October 3, 1939.

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Motion was made, seconded and adopted to decline the following request from Mr. A. G. Shands for adjustment of purchase of Orange Lake land:



"That Orange Lake Muck Farms Company be allowed to retain 1200 of the original 2,174.62 acres at the original purchase price of \$4.60 an acre, or a total of \$5,520.00; that they be given credit of \$2500.00 which was the cash payment, leaving a balance of \$3,020.00 with interest added from December 23, 1936—\$2700.00; that the new principal of \$5,720 be carried on the ten-year Contract Plan with \$1756.00 interest increment to be added, making the total purchase price \$7,476.00."

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Offer of \$125 was submitted from A. P. Manghum of Panama City for permit to remove small cabbage palms from 440 acres of State land in Sections 7 and 8, Township 2 South, Range 13 West, Bay County, such palms to be used for ornamental purposes.

Motion was made, seconded and adopted to accept offer from Mr. Manghum.

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Action was deferred on applications from John W. Albritton and Angus P. Boatwright, Islamorada, to lease small tracts of State land adjacent to Over-Seas Highway in Monroe County, such parcels to be used as fishing camp sites.

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Application was submitted from T. W. Conley, Jr., on behalf of F. H. Williams, offering 25 cents an acre for one year grazing lease on the S½ of Section 22, Township 39 South, Range 33 East, Glades County, containing 326.43 acres.

Motion was made, seconded and adopted to accept offer of twenty-five cents an acre for one-year grazing lease on land applied for by F. H. Williams. The Land Department was authorized to issue such lease.

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Mr. Bayless reported that L. W. Drummond had made request that the Trustees cancel part of Lease No. 52 to W. E. Kirchoff, Jr., allowing removal of dead head timber in the Suwannee River and its tributaries, making representation that he was the owner of land on both sides of Gopher River, Sand Fly, and other small creeks running into the Suwannee River, and should be entitled to deadhead in such areas. Mr. Bayless stated that Mr. Drummond and Cummer Sons Cypress Company, owners of adjacent upland, had abandoned operations in this area and that the Trustees claimed aban-

highest bidder he will guarantee a minimum bid of \$24,000.

Mr. Cone and Mr. Evans, President of the Company, were advised that the Trustees have a trespass case covering a portion of the land and it will be necessary to have the full board present before taking action.

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Mr. Elliot reported that he had application from Copeland & Therrell, Attorneys of Miami, representing Charles E. Starr, for oil lease covering 3840 acres in alternate tracts of land owned by the State in Township 54 South, Range 35 East, Dade County.

Motion was made, seconded and adopted to defer action on this application till the full membership can be present.

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The Secretary presented application from H. M. Forman of Ft. Lauderdale, for grazing lease on part of Tract 1, Section 23; all of Tracts 2 to 8, Tier 23, and Lots 3 and 4, Tier 17, all in Township 50 South, Range 41 East, Newman's Survey, containing 90.41 acres in Broward County, which land vested in the State by virtue of Everglades Drainage tax sale certificates. Mr. Forman offered twenty-five cents (25c) an acre for this land to become a part of a 400 acre lease he recently secured from the Trustees. Check in amount of \$22.75 representing one year's rental accompanied application.

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Motion was made, seconded and adopted that request of the War Department be granted and that Easement Deed be prepared covering the parcels enumerated in Resolution of October 3, 1939.

---

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Motion was made, seconded and adopted to accept offer from Mr. Manghum.

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Action was deferred on applications from John W. Albritton and Angus P. Boatwright, Islamorada, to lease small tracts of State land adjacent to Over-Seas Highway in Monroe County, such parcels to be used as fishing camp sites.

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Motion was made, seconded and adopted to accept offer of twenty-five cents an acre for one-year grazing lease on land applied for by F. H. Williams. The Land Department was authorized to issue such lease.

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Mr. Bayless reported that L. W. Drummond had made request that the Trustees cancel part of Lease No. 52 to W. E. Kirchoff, Jr., allowing removal of dead head timber in the Suwannee River and its tributaries, making representation that he was the owner of land on both sides of Gopher River, Sand Fly, and other small creeks running into the Suwannee River, and should be entitled to deadhead in such areas. Mr. Bayless stated that Mr. Drummond and Cummer Sons Cypress Company, owners of adjacent upland, had abandoned operations in this area and that the Trustees claimed aban-

doned property on the bottoms of rivers and other streams.

Motion was made, seconded and adopted that action be deferred pending investigation of Mr. Drummond's claim.

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The Trustees declined offer of \$3 per thousand from Robert Blanchard of Ebro, Florida, for deadhead timber in Choctawhatchee River.

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Application was submitted from Guy L. Winthrop, offering \$2.55 per thousand log measure for all sunken merchantable logs and blocks in the bottom of St. Marks River, Suwannee River, Steinhatchee River, and the tributary creeks of each river, together with all creeks and bayous between St. Marks and Suwannee Rivers.

Motion was made, seconded and adopted to decline offer from Mr. Winthrop.

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Application was submitted from S. Henry Harris of St. Petersburg, on behalf of client who owns land on Long Bayou near Boca Ceiga Bay, requesting permission to enclose underneath his 40 X 80 foot dock with wire netting for the purpose of starting a small aquarium as an experiment.

The Trustees deferred action on request of Mr. Harris until it can be ascertained what offer he makes for the permit.

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Motion was made, seconded and adopted to decline offer of \$25 an acre from Lewis Durham, Fort Lauderdale, for Lot 29, Section 26, Township 50 South, Range 41 East, Newman's Survey, containing 14.5 acres in Broward County.

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Application was submitted from Walter P. Fuller, on behalf of Paul D. Camp, offering \$200 an acre for submerged land adjacent to property owned by him in Section 33, Township 31 South, Range 16 East, Pinellas County.

Motion was made, seconded and adopted to defer action on application from Mr. Fuller pending information as to the number of acres desired.

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The Trustees declined offer from W. B. Norton of 15 cents an acre for renewal of grazing lease on 929.95 acres of State land in Glades County.



Letter was presented from T. O. Mann of Sanderson, offering \$200 for Lot 9 of Section 36, Township 2 South, Range 20 East, containing 38.83 acres in Baker County.

Motion was made, seconded and adopted to decline offer of \$200 from Mr. Mann, the Field Agent having appraised the land and timber at a total value of \$425.64.

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Application was presented from J. B. Gatine, West Palm Beach, to lease approximately five (5) acres of lake bottom land in Section 4, Township 44 South, Range 43 East, Palm Beach County, formerly a part of Lake Clark. Information was furnished that Mr. Gatine contemplates starting a small nursery on the land and offers \$2 an acre annually for a four or five year lease.

Motion was made, seconded and adopted to grant one-year lease to Mr. Gatine on the land described upon payment of \$2 an acre.

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Mr. Bayless reported that on August 12, 1937, the Trustees agreed to accept offer of \$100 an acre from John F. Burket, on behalf of W. R. Grove, for 1.24 acres of sovereignty land adjacent to upland property of Mr. Grove in Section 26, Township 38 South, Range 18 East, Sarasota County. The land was advertised for objections and protest to sale was filed by William D. Dampier on the ground that a portion of the area applied for adjoined his property. Sale was postponed and no further action taken. Recently Mr. Dampier wrote the Land Office that he had contracted to sell his holdings in that area to Mr. Grove and therefore had no objection to the sale of the sovereignty land.

Motion was made, seconded and adopted that sale of land be consummated to W. R. Grove at a price of \$100 an acre, plus advertising costs, the following notice having been published in the Sarasota Daily Tribune August 23rd, 30th, September 3rd, 7th, 13th and 20th, 1937:

"Tallahassee, Florida, August 20, 1937

#### N O T I C E

NOTICE is hereby given that the Trustees of Internal Improvement Fund of the State of Florida will hold a meeting 12 o'clock Noon, Wednesday, September 22nd, 1937, at Tallahassee, Florida, to consider the sale of the following described submerged land in SARASOTA County, Florida:

Begin at a point where the North line of Section 26, Township 38 South, Range 18 East, intersects the East shore of Little Sarasota Bay;

Thence South 400 feet for a point of beginning;

Thence West 220 feet;

Thence South 200 feet;

Thence East 270 feet;

Thence North 200 feet;

Thence West 50 feet to the point of beginning.

Lying and being in the County of Sarasota, and

Containing 1.24 acres, more or less.

This notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

Attest: F. C. Elliot, Secretary."

Financial Statement for the month of February, 1940, is as follows:

#### FINANCIAL STATEMENT FOR FEBRUARY, 1940 RECEIPTS

Various land sales .....	\$ 658.58
Farm leases .....	4,622.50
Sand and shell leases .....	2,809.99
Grazing leases .....	658.71
Total receipts during month.....	\$ 8,749.78
Balance on hand February 1, 1940	95,199.66
	<hr/>
	\$103,949.44
Less disbursements .....	5,710.40
	<hr/>
Balance February 29, 1940 .....	\$98,239.04

#### BALANCES IN BANKS FEBRUARY 29, 1940

Atlantic National Bank, Jacksonville, Fla. ....	\$70,211.86
Florida National Bank, Jacksonville, Fla. ....	17,821.31

The Capital City Bank, Tallahassee,  
Fla. ....

9,205.87

\$97,239.04

1,000.00

\$98,239.04

### DISBURSEMENTS

Date	No.	In Favor of:	Amount
1940			
Feb. 13,	11624	H. E. Carter .....	\$ 28.70
	11625	W. B. Granger .....	24.00
	11626	S. S. Savage .....	255.60
	11627	F. C. Elliot .....	5.00
	11628	Midyette-Moore Insurance Agency .....	10.00
	11629	Wm. Logan Hill, Clk. Fed Ct. ....	5.00
	11630	Elliot W. Butts, C. C. C. ....	2.55
	11631	Standard Oil Co. ....	14.64
	11632	American Oil Company .....	18.26
	11633	Proctor & Proctor, Inc. ....	49.40
	11634	The H. & W. B. Drew Co. ....	16.50
	11635	Western Union Telegraph Co. ....	8.19
	11636	Postal Telegraph-Cable Co. ....	2.48
	11637	Southeastern Telephone Co. ....	13.80
	11638	F. E. Bayless .....	18.15
26,	11639	Everglades Fire Control Dist. ....	3,000.00
	11640	Frank Bros. Chevrolet Dealers .....	41.58
	11641	H. E. Carter .....	28.85
	11642	M. C. McIntosh .....	36.15
	11643	F. E. Bayless .....	39.60
	11644	S. S. Savage .....	140.25
	11645	Wm. Logan Hill, Clerk Fd. Ct. ....	6.00
	11646	Capital Office Equipment Co. ....	27.95
	11647	Rose Printing Co. ....	14.00
29,	11648	F. C. Elliot .....	400.00
	11649	F. E. Bayless .....	275.00
	11650	M. O. Barco .....	175.00
	11651	Jentye Dedge .....	175.00
	11652	S. S. Savage .....	200.00
	11653	H. L. Shearer .....	50.00
	11654	F. C. Elliot .....	10.00
	11655	Postmaster, Tallahassee, Fla. ....	10.00
	11656	Oakley F. Dodd, Clk. U. S. Ct. ....	608.75
Total Disbursements for Feb- ruary, 1940 .....			\$5,710.40

**TRUSTEES OF THE INTERNAL IMPROVEMENT  
FUND UNDER CHAPTER 18296**

Balance February 1, 1940 .....	\$ 679.18
Receipts during month—land sales.....	2,588.40
	<hr/>
Balance February 29, 1940 .....	\$3,267.58

**BALANCES IN BANKS FEBRUARY 29, 1940**

Atlantic National Bank, Jacksonville, Fla. ....	\$2,558.40
The Capital City Bank, Tallahassee, Fla. ....	709.18
	<hr/>
	\$3,267.58

**CONSIDERATION OF MATTERS UNDER  
CHAPTER 18296**

The Attorney General presented request from John B. Kennedy, representing Napoleon B. Broward Drainage District, that the Trustees pay taxes on State lands lying within such district, with which amount the District offers to purchase Murphy Act lands. He reported that he had answered letter from Mr. Kennedy advising that the Trustees had no authority to grant such request.

Action of the Attorney General was approved.

The Trustees gave consideration to bids received by them on land advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in the following counties and on the dates indicated:

County	Date of Adv.	Date of Sale
Gulf	Feb. 2, 1940	Feb. 16, 1940
Hardee	Feb. 2, 1940	Feb. 19, 1940
Holmes	Jan. 15, 1940	Feb. 5, 1940
Lake	Jan. 26, 1940	Feb. 12, 1940
Leon	Jan. 9, 1940	Feb. 5, 1940
Marion	Jan. 19, 1940	Feb. 5, 1940
Suwannee	Jan. 19, 1940	Feb. 5, 1940

Bids were accepted, rejected, or held for further consideration as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

The bid of Melbourne-Tillman Drainage District for purchase of lands coming to the State under Chapter 18296, located in Brevard County, was held for further consideration.



Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
March 11, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. E. Bayless, Land Clerk.

Mr. Bayless reported that Mr. A. G. Shands had been notified that the Trustees declined his proposition for adjustment of Contract No. 18214; that he is now requesting the privilege of paying up interest on his Entry, which is 6 per cent on \$7500 from November 26, 1933, to date, and then entering into a new Ten-Year contract covering \$7500. New contract to be of standard form and carry the customary interest increment over the ten-year period.

Motion was made, seconded and adopted that request of Mr. Shands be granted, conditioned upon approval of Mr. Mayo, and upon payment of interest that a new Ten-Year Contract be executed in favor of Orange Lake Muck Farms Company.

Subsequent to above action Mr. Mayo concurred in decision of the Trustees.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 12, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Minutes of February 24th, 26th, 29th, March 5th and 11th, 1940, presented and approved.

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The Secretary reported that a date had not yet been set for hearing interested parties with reference to application from the State Road Department for right of way over and across Old Tampa Bay, Hillsboro and Pinellas Counties, desired in connection with construction of a proposed free bridge between Tampa and St. Petersburg. Attorney General Gibbs stated that he had letter from Mr. G. M. Holtsinger of Tampa requesting that a hearing be held on this subject prior to March 26th if possible.

It was agreed by all members present that a special meeting be called for Wednesday, March 20th, at 11 o'clock A. M., for the purpose of hearing any and all persons who desire to be heard in connection with granting petition of the State Road Department for right of way across Old Tampa Bay. The Secretary was requested to notify all interested parties of the action taken.

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The Secretary reported that at a meeting of the Trustees January 23, 1940, offer of \$750 from Mrs. Laura M. Tobin was submitted through her attorney, John C. Gramling, for 3.04 acres of submerged land adjoining her upland property described as Lot 1, John F. Collins S/D of Section 30, Township 53 South, Range 42 East, Dade County. The offer was accepted, plus cost of advertising, and the following notice was published in the Miami Herald on February 9, 16, 23, and March 1 and 8, 1940:

"Tallahassee, Florida, February 7, 1940.

### NOTICE

NOTICE IS HEREBY GIVEN That the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, March 12, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in DADE County, Florida:

Commencing at the northwest corner of Section 30, Township 53 South, Range 42 East; thence east along the north line of said Section 30 a distance of 1479.83 feet to a point; thence south 25.0 feet to the northeast corner of Lot 1, John F. Collins Subdivision, as recorded in Plat Book 1, Page 53 of the Public Records of Dade County, Florida, for the Point of Beginning: Thence from the above established Point of Beginning run east along the north line of said Lot 1, if extended, a distance of 450 feet more or less to the United States Harbor Line; thence southerly along said Harbor Line 282.03 feet to the intersection of the projection of the south line of the above mentioned Lot 1 with the said Harbor Line; thence west 490 feet more or less along the projection of the south line of Lot 1 to the southeast corner of said Lot 1; thence northeasterly along the meanders of the west shore of Biscayne Bay 285.41 feet to the Point of Beginning, said area containing 3.04 acres more or less. Lying and being in Dade County, Florida.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

Attest: F. C. Elliot, Secretary."

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Objection was presented from the City of Miami to the sale of the North seventy (70) feet of the tract, representation being made that it would interfere with proposed extension of 36th street.

Upon examination of the map showing location of the tract applied for and statements from the Engineer and the Land Clerk, that the area sought to be purchased only extended out in front of the property of Mrs. Tobin and parallel with the line of the upland, motion was made, seconded and adopted to consummate sale to Mrs. Tobin pursuant to action taken January 23rd.

The Land Office was directed to issue deed to Mrs. Tobin upon payment of \$750 plus cost of advertising.

Pursuant to action of the Trustees January 23rd, accepting offer of \$125 from David A. Watt for 0.41 acres of submerged land adjoining his upland property on Boca Ceiga Bay, the following advertisement was published in the Clearwater Sun February 9th, 16th, 23rd and March 1st and 8th, 1940:

"Tallahassee, Florida, February 7, 1940.

#### N O T I C E

NOTICE IS HEREBY GIVEN That the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, March 12, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in PINELLAS County, Florida:

Commence at the southwest corner of Lot 3 of Fractional Section 1, Township 31 South, Range 15 East, which is the meander corner on the South boundary of said Fractional Section on Boca Ceiga Bay; thence North  $19^{\circ}$  West along the meander of said Fractional Section 1, 63.5 feet to the point of beginning; thence from said point of beginning; West 123.33 feet; thence North  $24^{\circ}40'$  West 148.56 feet; thence East 150 feet to the intersection with the meander of Boca Ceiga Bay in Fractional Section 1; thence South  $12^{\circ}15'$  East along said meander, 89.76 feet; thence South  $19^{\circ}$  East along said meander 50 feet to the point of beginning first above described. Containing 0.417 acres, more or less. All lying, and being in Pinellas County, Florida.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.



By order of the Trustees of the Internal Improvement Fund.

FRED P. CONE,  
Governor.

ATTEST:

F. C. Elliot,  
Secretary."

No objections being presented, motion was made seconded and adopted to consummate sale of the submerged area described in the above notice and deed was ordered issued in favor of Mr. Watt upon payment of \$125 plus cost of advertising.

Motion was made seconded and adopted to defer action on request from the United States Bureau of Biology for areas on Lake Okeechobee and in the vicinity of Cape Sable, which areas were desired as Wild Life Refuges.

Three applications were submitted from the State Road Department for right of ways as follows:

1. Right of way 200 feet wide over, through and across Little Manatee River and submerged areas adjacent thereto extending from a point on the West boundary of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 18, Township 32 South, Range 19 East, etc., Hillsboro County, to be used in connection with State Road No. 23—Project (5349 )971.
2. Right of way 200 feet wide over, through and across Matanzas River and submerged and spoil bank lands adjacent thereto, commencing at a point on the East boundary of Section 38, Township 9 South, Range 31 East, thence by metes and bounds description to the East edge of the waters of Matanzas River, in Section 31, Township 9 South, Range 31 East. Also beginning at a point on the North boundary of Section 50, Township 9 South, Range 30 East, thence by metes and bounds description to the West line of Government Lot 3, Section 13, Township 9 South, Range 30 East, St. Johns County, Florida, to be used in connection with State Road No. 140, Project 1026(5050).
3. Right of way 300 feet wide across land owned by the State in the Pelican Bay area, located in Townships 42, 43 and 44 South, Range 36 East,

Palm Beach County, desired in connection with State Road No. 353, Project 5090.

Motion was made, seconded and adopted to grant perpetual easement to the State Road Department for right of ways 1 and 2 as above, but it was decided to defer action on the 3rd application, covering Pelican Bay area, pending conference with the State Road Department with reference to alternate location for this road.

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Request was presented from Mr. Harley Watson that the Trustees furnish abstract of record covering Palm Beach County land recently purchased by him, on the ground that the land was sold some years previous and repossessed by the Trustees prior to sale to him. Estimate of \$90 was given by Security Abstract & Insurance Company of West Palm Beach, Florida, for preparing an abstract on the land.

Motion was made, seconded and adopted that the Trustees decline to furnish abstract as requested by Mr. Watson.

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Mr. Bayless reported that some weeks ago the Trustees considered application from Consolidated Operations Corporation of Jacksonville, Florida, for mineral lease in Brevard County, along the west shore of the Indian River, with an offer of \$1 per ton for all minerals taken. The matter was referred to Dr. Herman Gunter, State Geologist. Also information to be obtained from the Conservation Department as to any objections from that source,

Dr. Gunter replied that the offer seemed to be fair and he would like to see this industry established. The Conservation Department reported that there would be no interference with the fishing or shell fish industry, therefore there would be no objection to the lease.

Motion was made, seconded and adopted that the Trustees grant lease to Consolidated Operations Corporation for mining mineral bearing sand along the west shore of the Indian River in Brevard County, Florida, upon payment of \$1 per ton for all minerals taken.

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Request was presented from H. G. Murphy, Zolfo Springs, Florida, on behalf of A. V. Coker, offering 10 cents an acre for grazing lease on the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 13, Township 35 South, Range 26 East, Hardee County.

Motion was made, seconded and adopted to grant one year grazing lease in favor of A. V. Coker upon payment of \$5 for such lease.

Mr. Bayless re-submitted application from John W. Albritton, Islamorada, Florida, for five year lease on a small tract of bay bottom 100 X 100 feet owned by the State along the right of way of Overseas Highway, Monroe county. Offer of \$50 annually was made to lease the land for a fishing camp site.

Objection having been filed to construction of shacks along the right of way, motion was made, seconded and adopted to defer action on Mr. Albritton's application pending information as the type building to be constructed.

The following bills amounting to \$3,506.39 were approved and checks ordered issued in payment therefor: Everglades Fire Control District, Lake Worth,

Fla. ....	\$3,000.00
S. S. Savage, Field Agent, Ocala, Fla. ....	138.71
W. B. Granger, Belle Glade, Fla. ....	24.50
Wm. Logan Hill, Clerk U. S. District Court, Pensacola, Fla. ....	13.05
Proctor and Proctor, Inc., Tallahassee, Fla. ....	69.68
Standard Oil Company, Jacksonville, Fla. ....	16.44
American Oil Company, Jacksonville, Fla. ....	21.15
Railway Express Agency, Tallahassee, Fla. ....	.90
Capital City Publishing Co., Tallahassee, Fla. ....	95.30
Commercial Office Supply Co., Tallahassee, Fla. ....	103.00
Southeastern Telephone Co., Tallahassee, Fla. ....	12.35
Western Union, Tallahassee, Fla. ....	10.30
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	1.01
	<hr/>
	\$3,506.39

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, LAWS OF 1937

Mrs. John Lewis Kilgore of Atlanta, came before the Trustees with reference to lands in Monroe County which came to the State under Chapter 18296, Acts of 1937, giving information that lands recently offered for sale and bid in at low prices comprised a part of the Golf Course and Botannical Gardens and were very valuable land. She stated that her husband, Rev. John Lewis Kilgore of Key West would be glad to furnish any information desired with reference to these lands.

The Trustees thanked Mrs. Kilgore for the information and asked that the Secretary take the address of Rev. Kilgore for future reference when sale of Monroe County land is considered.

The Trustees gave consideration to bids received by them for lands advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in the following counties:

Manatee  
DeSoto  
Duval

Bids were accepted, rejected, or held for further consideration, as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 20, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

A special meeting was called on this date for the purpose of hearing interested parties with reference to application from the State Road Department for right of way over and across Old Tampa Bay.

Comptroller Lee acting as Chairman of the meeting requested that the delegation supporting and favoring the granting of right of way across Old Tampa Bay and the construction of a free bridge connecting the cities of Tampa, St. Petersburg and Clearwater, select a principal speaker, and that the delegation opposing also select their principal speaker; that supporting comments would be allowed both sides, but it would expedite the hearing if the above procedure could be followed.

The following persons were introduced as supporting the construction of a free bridge and urging the grant of right of way to the State Road Department:



Seth Dekle, Representative from Hillsboro County  
 W. H. Farrior  
 Fred Furman  
 J. M. Holtzinger, representing Tampa Chamber of  
 Commerce and Automobile Dealers Association  
 C. E. Worth, Chairman Hillsboro County Highway  
 Committee  
 Ralph Marsicano, Representing the City of Tampa  
 Leslie Bank  
 W. H. Toole, Real Estate  
 Lon Henderson  
 Walter P. Fuller, Pinellas County  
 Ralph Maas  
 B. Giles  
 N. Short  
 W. E. Hammer  
 Fred Herman  
 Doyle Wadsworth  
 John L. Cone, County Attorney  
 George Browne of Largo  
 Otto Pelham, Representing Florida Portland Cement  
 Co.  
 Sol Maas  
 Fred Ball, County Commissioner  
 S. H. Moore  
 John Martin and Mr. Young, Real Estate  
 And others from Hillsboro and Pinellas Counties.

Messrs. Holtzinger, Fuller, Worth, Dekle, Marsicano and Browne spoke for the delegation favoring the granting of right of way across Old Tampa Bay and the construction of a free bridge by the State Road Department. They pointed out the necessity of a free bridge connecting the three towns, the inadequacy of the present toll bridges; the unfairness to the counties of having no means of commerce between the two counties except by toll bridge with high toll rates; the handicap the counties are under in visitors coming to that section without adequate transportation facilities; no means of reaching the many attractive beaches without going over one or the other of the toll bridges.

It was pointed out that the Trustees of the Internal Improvement Fund have always granted right of ways to the State Road Department for roads without question as to the authority of the Department to build roads and bridges; that it will not mean the sale of giving away of any rights of the State, but merely the granting of permission to use the land from one branch of the State Government to another; that the bridge when constructed will be the property of the State, just as the land now is.

Mr. Lon Henderson, Chairman of the Board of County Commissioners of Hillsboro County, stated that the Board had adopted a resolution favoring the construction of a free bridge between the two counties.

Mr. Howard McFarlane, representing Tampa-Clearwater Bridge Company, owner of Davis Causeway, submitted a written brief on the question of the authority of the Trustees of the Internal Improvement Fund to grant right of way to the State Road Department for constructing a free bridge across and over Old Tampa Bay from the high water mark in Hillsboro County to the high water mark in Pinellas County. It was submitted that the trust imposed in the Trustees did not authorize granting right of way such as requested; that power was given to sell the land under certain conditions and water bottoms within certain depths could only be disposed of.

Mr. McFarlane stated that his company had operated the Davis Bridge for many years with satisfaction; that the toll was reasonable and there was no necessity for a third bridge at this time. He submitted that this was a question to be determined by the legislature and he thought it had been answered by that body at the last session when it was asked to designate this route as a State road resulting in the bills dying on the calendar; that it would mean the violation of the rights of private property to allow a free causeway to be built across Old Tampa Bay and would ruin the investments of the two companies. The brief of Mr. McFarlane was filed with the board for consideration.

Mr. Gandy, representing Gandy Bridge Company, gave a brief history of Gandy Bridge, the amount of money expended in its construction the revenue received from its operation and the small return from the investment. He stated that the tolls had been reduced from time to time; that the bridge is capable of taking care of considerably more traffic than at present and as traffic increases tolls will be lowered; that if the free bridge is constructed it will mean ruin to the Gandy Bridge.

Statements were made by other interested parties, questions were asked by members of the board as to the location of the proposed free bridge with reference to the two toll bridges.

Mr. Fuller and Mr. Dekle made rebuttal statements after representatives of the two bridges.

The question of the authority of the Trustees to grant right of way for a bridge across Old Tampa Bay was discussed by both delegations and different acts of the legislature and decisions of the Court submitted.

The delegation favoring the bridge urged that the Trustees grant the right of way to the State Road Department, which location had been approved by the Federal Bureau of Roads, favored and approved by a majority of the citizens of the two counties and would have the whole-hearted support of that section of the State, except the few people connected with the toll bridges.

The Trustees were of the opinion that the only matter to be decided by them was the question of whether or not they had authority to grant right of way across Old Tampa Bay. Whereupon, motion was made, seconded and adopted that Attorneys for the delegation supporting the free bridge be given an opportunity to submit reply brief to that of Mr. McFarlane; that attorneys on each side be furnished copies of all briefs and one week be allowed each for reply. All briefs to be submitted to the Attorney General for consideration and subsequent report to the Trustees at the earliest date possible.

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Mr. John C. Blocker of St. Petersburg, on behalf of clients Modine and Boone, came before the Trustees with request for permit to dredge in Big Bayou for the purpose of deepening the channel and creating a yacht and turning basin. The area to be dredged consists of about two and one-half acres and applicants offer \$50 an acre for one year's lease.

The Secretary reported that in September, 1939 applicants had applied for lease but the offer was declined. Subsequently request was made to the United States, War Department, to do certain dredging in this area, to which the Trustees entered objection March 9, 1940. Mr. Blocker now makes application as above and requests that the Trustees withdraw protest to the War Department permit.

Upon discussion, motion was made, seconded and adopted that permit be granted to Messrs. Modine and Boone for a period of one year to dredge within the area described, upon payment of \$50 an acre. It was also agreed that objection be withdrawn to War Department permit as requested by Mr. Blocker, and the Secretary was requested to notify the War Department that the Trustees' protest was withdrawn.

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Mr. John Prince, County Commissioner from Palm Beach County, and Mr. Harry Johnston, County Attorney, presented to the Trustees resolution adopted by the Board of County Commissioners of Palm Beach County offering \$100 cash for the remaining portion of the lake

bottom land in Lake Osborne, lying east of land now owned by the County, and in addition sufficient land and lake bottom for road right of way on the east shore of Lake Osborne; the areas desired being located in Sections 28, 29, 32 and 33, Township 44 South, Range 43 East, containing 239 acres, more or less in Palm Beach County.

Mr. Prince explained that Palm Beach County desires to take in the whole of Lake Osborne in the Park project, pump out all mud and silt and maintain the depth of the Lake at not less than five (5) feet. The program also calls for construction of a road entirely around the lake and continuance of lease to the Boy Scouts of their camp site on the Lake.

The question was discussed as to whether or not Lake Worth water system would be affected, but Messrs. Prince and Johnston stated that it would not.

L. R. Baker, representing private ownership around the Lake, requested that the Trustees sell to the individual owners the strip of land between their present holdings and the road right of way applied for by the County. Such owners offer to pay at the rate of \$10 an acre for land between the Government meander and original Normal high water mark, (Being land they thought they owned) and \$60 an acre for a strip between the high water mark of the lake and the proposed county road right of way.

Senator John R. Beacham being present urged that the Trustees grant request of Palm Beach County, stating that the County does not have a park and that all the beaches are being taken away either by erosion or by private ownership; that the County Commissioners have given assurance that no additional taxes will be levied to develop the park program and he recommends approval of the application.

The Trustees desiring to have at least four members present to pass on the matter, final action was deferred for further consideration.

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Mr. R. N. Miller, Tax Collector for Hendry County, stated that his client, Joe B. Hendry, owned approximately 100,000 acres of land south of Lake Hicpochee about thirteen miles east of Goodno and desired to purchase Section 28 of Township 46 South, Range 32 East, Hendry County, held by the Trustees under mortgage. An offer of \$5 an acre was made for the land with payment to be made under ten-year contract plan.

Motion was made, seconded and adopted to defer action on offer submitted by Mr. Miller.



Mr. John W. Donahoo of Jacksonville, representing Cummer Sons Cypress Company, protested permit to W. E. Kirchoff, Jr., for removing sunken logs from the Suwannee River and tributaries in Levy and Dixie Counties, extending from the bridge crossing at Branford to the mouth of the river. Information was furnished that Cummer Sons Cypress Company owns all land on each side of a number of the creeks and tributaries covered by lease to Mr. Kirchoff and that the logs in such waters could not have been put there by anyone but his clients; that while they were sure some of the logs in the Suwannee River belonged to them such ownership could not be proved and, therefore, they would make no claim to them.

It was suggested that the Field Agent make a cruise of the area under lease to determine the ownership of the logs.

Motion was made, seconded and adopted that Mr. Bayless notify Mr. Kirchoff, or his representative, Mr. H. L. Nelson, to discontinue operating in the tributaries under protest, and that the Field Agent be directed to make investigation as to ownership of the logs in the disputed areas.

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On January 30th the Trustees agreed to sell certain submerged areas in Gulf County for straightening the bulkhead line adjacent to 14.84 acres heretofore sold, and a total of \$800 was offered by St. Joe Paper Company, Port St. Joe Terminal Company and Port St. Joe Dock & Terminal Company.

Pursuant to action taken January 30th, the following Notice was published in the Port St. Joe Star February 16th, 23rd, March 1st, 8th and 15th, 1940:

"Tallahassee, Florida, February 7, 1940.

#### N O T I C E

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, March 19, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in GULF County, Florida:

A tract of land lying in Fractional Section 35, Township 7 South, Range 11 West, and Fractional Section 2, Township 8 South, Range 11 West, described by metes and bounds as follows: Commence at the northeast corner of Fractional Section 2, Township 8 South, Range 11 West,

and run thence West 2,863.6 feet along the North boundary line of said Fractional Section 2 to its point of intersection with the outside line of the existing bulkhead of the St. Joe Paper Company Dock, said point being the point of beginning of the tract hereinafter described: From said point of beginning run thence South  $16^{\circ}52'$  East 159.55 feet along the outside line of said bulkhead to a point; thence North  $8^{\circ}39'$  West 61.3 feet to a point; thence North  $15^{\circ}15'$  West 454.2 feet to a point on the outside line of the North return to the existing bulkhead, thence South  $33^{\circ}08'$  West 28.2 feet along the outside line of the North return of said bulkhead to a point; thence South  $16^{\circ}52'$  East 336.75 feet along the outside line of said bulkhead to the point of beginning, containing 0.16 of an acre, more or less.

ALSO

A tract of land lying in Fractional Section 2, Township 8 South, Range 11 West described by metes and bounds as follows: Commence at the Northeast corner of said Fractional Section 2, Township 8 South, Range 11 West, and run thence West 2,863.6 feet along the North boundary line of said Fractional Section 2 to its point of intersection with the outside line of the existing bulkhead of the St. Joe Paper Company Dock, thence South  $16^{\circ}52'$  East 828.7 feet along the outside line of said bulkhead to the point of beginning of the tract hereinafter described: From said point of beginning run thence South  $16^{\circ}52'$  East 565.9 feet along the outside line of said bulkhead to the Southwest corner of the said St. Joe Paper Company Dock, thence East 76 feet to a point; thence North  $25^{\circ}30'$  West 48 feet to a point; thence North  $16^{\circ}00'$  West 350 feet to a point thence North  $37^{\circ}15'$  West 203.3 feet to the point of beginning, Containing 0.82 of an acre, more or less.

AND,

A tract of land lying in Fractional Section 2, Township 8 South, Range 11 West, described by metes and bounds as follows: Commence at the Northeast corner of said Fractional Section 2, Township 8 South, Range 11 West, and run thence West 2863.6 feet along the North boundary line of said Fractional Section 2 to its point of intersection with the outside line of the ex-

isting bulkhead of the St. Joe Paper Company Dock, thence South  $16^{\circ}52'$  East 1394.6 feet along the outside line of said bulkhead to the Southwest corner of the St. Joe Paper Company Dock which is the point of beginning of the tract hereinafter described: From said point of beginning run thence East 76 feet to a point; thence South  $25^{\circ}30'$  minutes East 252.1 feet to a point, thence South 29 degrees  $00'$  East 600 feet to a point; thence South  $78^{\circ}20'$  East 290 feet to a point; thence South  $21^{\circ}20'$  East, 3.44 feet to a point; thence South  $73^{\circ}07'45''$  West, 491.74 feet to a point-on the outside line of the existing bulkhead of the City Dock; thence North  $16^{\circ}52'$  West 1000 feet, more or less, along the outside line of said Bulkhead to the point of beginning. Containing 4.12 acres, more or less.

AND,

A tract of land lying in Fractional Sections 1 and 2, Township 8 South, Range 11 West, described by metes and bounds as follows: Commence at the northeast corner of said Fractional Section 2, Township 8 South, Range 11 West, and run thence West 2863.6 feet along the North boundary line of said Fractional Section 2 to its point of intersection with the outside line of the existing bulkhead of the St. Joe Paper Company Dock, thence South  $16^{\circ}52'$  East, 2394.6 feet along the outside line of the existing bulkhead of the St. Joe Paper Company and City of St. Joe docks to the Southwest corner of said City dock which is the point of beginning of the tract hereinafter described: From said point of beginning run thence South  $58^{\circ}02'$  East 361.8 feet along the outside line of the South return of said bulkhead to a point, thence North  $82^{\circ}13'$  East 455.4 feet along the outside line of the South return of said bulkhead to a point, thence North  $40^{\circ}00'$  West 231.5 feet to a point; thence South  $50^{\circ}00'$  West 100 feet to a point; thence North  $21^{\circ}20'$  West 171.56 feet to a point; thence South  $73^{\circ}07'45''$  West 491.74 feet to the point of beginning, containing 3.06 acres more or less.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

FRED P. CONE, Governor.

Attest: F. C. Elliot, Secretary.

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No objections being presented or filed, sale was consummated to applicants and deed ordered issued upon payment of \$800 plus cost of advertising.

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Mr. Bayless reported that investigation had been made by S. S. Savage, Field Agent, of land in Hillsboro County which came to the State through foreclosure under Chapter 14572, Acts of 1929 and for which Wayne Thomas made an offer of \$1 an acre. Information was given that Mr. Savage appraised the land at from \$2.50 to \$3.00 an acre.

Motion was made, seconded and adopted to decline offer of \$1 an acre from Mr. Thomas for land in Sections 4, 5, 6, 7, Township 27 South, Range 21 East.

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The Trustees deferred action on application from John W. Albritton for five year lease of bay bottoms in Section 11, Township 64 South, Range 36 East, Monroe County, adjacent to right of way of Over-Seas Highway.

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Action was deferred on application of Angus P. Boatwright, Islamorada, Florida, to lease a small tract of land adjacent to the Over-Seas Highway south of Indian Key draw bridge, the parcel being desired as a fishing camp site.

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Mr. Bayless submitted application from T. W. Conely, Jr., Okeechobee, on behalf of F. H. Williams, Jr., and E. P. Scarborough, for five-year grazing lease on Lot 2, Section 35, Township 39 South, Range 33 East, Glades County, containing 51 acres. Offer submitted at the rate of 10 cents an acre for the first year 15 cents an acre annually for the second and third years; 20 cents an acre for the fourth year and 25 cents an acre for the fifth year.

Motion was made, seconded and adopted to accept offer as above from clients of Mr. Conely for grazing lease on lands applied for, such lease to carry mineral reservations.



## CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Upon request of E. R. Bennett, Clerk of the Circuit Court of Broward County, the Trustees called a special meeting for Monday, March 25th, 1940, to hear from a committee of Clerks of the Courts, acting as Agents for the Trustees, with reference to sale of land under Chapter 18296. The Secretary was requested to notify Mr. Bennett of the date set.

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Senator John R. Beacham and H. E. Motter, representing Lake Worth Drainage District, informed the Trustees that the District had applied to purchase land within its boundaries for the purpose of blocking the area, and submitted the base bid amounting to \$6,192.50 for the land as a whole tract. On date of sale speculators came in and picked out a few special parcels and bid approximately 50 cents higher than the District. The District is willing and agrees to sell to any original owner land formerly owned by him at the same price paid the State, or deed may be made direct to such owner by the Trustees. The Trustees were urged to decline bids from speculators and accept bid from the District in order that a rehabilitation program, to be made possible through loan from Reconstruction Finance Corporation, might be carried out.

The Trustees were of the opinion that since lists of certificates had not been furnished by Palm Beach County it would be advisable to defer action on request from Lake Worth Drainage District.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
March 21, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the State Treasurer at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Bayless submitted request from Messrs. Clark and Driggers for extension of time in which to make bond required in connection with oil lease dated December 12, 1939; information having been furnished that lessees were carrying out all other conditions of the lease.

Motion was made, seconded and adopted that the Trustees so amend Oil Lease dated December 12, 1939, in favor of Clark and Driggers, allowing a period of eighteen (18) months within which to furnish bond required.

Request from the Board of County Commissioners of Palm Beach County was again submitted, with offer of \$100 for remaining portions of Lake Osborne land lying East of the area heretofore deeded the County by the State. Also offer from individuals of \$60 and \$10 an acre for tracts adjacent to upland ownership. All as presented by Mr. Prince at a meeting held March 20, 1940.

Upon consideration of the offer from the County and from individuals, motion was made, seconded and adopted to accept offer of \$100 from Palm Beach County, and from individuals as follows; Deed to the County to contain reversion clause should the land be used for other than public purposes:

Palm Beach County—Approximately 239 acres located in Sections 28, 29, 32 and 33, Township 44 South, Range 43 East, lying east of land heretofore deeded the County; Also 100 foot right of way for a County road around Lake Osborne .....	\$100.00
East Shore Company, Lake Worth, Florida—2.82 acres adjacent to Govt. Lots 1 & 5, Section 32, Township 44 South, Range 43 East.....	170.00
Albert W. Godfrey, Lake Worth, Florida—1.6 acres adjacent to northwest part of Govt. Lot 1, Section 33, Township 44 South, Range 43 East .....	100.00
Chester F. Wright, Lake Worth, Florida—3.2 acres adjacent to southwest part of Govt. Lot 4, Section 28, Township 44 South, Range 43 East .....	200.00
Roy F. Goodman, Lake Worth, Florida—16 acres adjacent to SW part of Tract 1, Sunset Park S/D of Section 29, Township 44 South,	

Range 43 East .....	545.00
George Kingsley, Lake Worth, Florida—3.2 acres adjacent to West part of Lots 1 and 2, Block 1, Sunset Park S/D of Section 29, Township 44 South, Range 43 East .....	73.00
Cornelia Woolley Bennett, Lake Worth, Fla.—10.2 acres adjacent to West part of Lots 3 and 4, Block 1; Lots 1 to 8, inclusive, Block 3, and all Block 2, Sunset Park S/D, Section 29, Township 44 South, Range 43 East .....	392.00
George L. Boydston, Lake Worth, Florida—0.7 acres adjacent to West part of Lots 9 and 10, Block 3, Sunset Park S/D., Section 29, Township 44 South, Range 43 East .....	42.00
Cora A. Boydston, Lake Worth, Florida—0.6 acres adjacent to W part of Lots 11 and 12, Block 3, Sunset Park S/D—Section 29, Township 44 South, Range 43 East .....	36.00
Albert Lin and Narra A. Lin, Lake Worth, Fla.—0.73 acres adjacent to SW part Block 4, Sunset Park S/D, Section 29, Township 44 South, Range 43 East .....	90.00
Katherine Hanley, Lake Worth, Florida—2.3 acres adjacent to E. side of Buffalo Heights S/D Section 28, Township 44 South, Range 43 East .....	90.00
John A. Markett, Lake Worth, Florida—6.2 acres adjacent to S part of Buffalo Heights S/D, Section 28, Township 44 South, Range 43 East .....	302.00
Deeds were ordered issued to above purchasers.	

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The Trustees deferred action on application from A. R. Richardson, on behalf of Charles Beck, offer of \$70.98 having been made for the purchase of land under Everglades Drainage tax sale certificate No. 1229, Palm Beach County.

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Mr. Bayless submitted application from John W. Albritton for fishing camp site on State land along Overseas Highway. Letter was also presented from Judge E. R. Lowe stating that Mr. Albritton will put up a decent looking place, and recommending that lease be allowed.

The Trustees deferred action and requested that Mr. Bayless have Mr. Albritton submit a plan of the proposed improvement and approximate cost of same.

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Pursuant to request from Dade County Commissioners, the Trustees agreed to hold a meeting April 8, 1940, for

hearing application from Dade County and the City of Miami to purchase a tract of land on Virginia Key.

The Secretary was requested to notify County Commissioners of Dade County and City officials of Miami of the date set.

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Resolution adopted March 6, 1940, by County Commissioners of Monroe County was submitted to the Trustees protesting the leasing of two tracts of land adjacent to Over-Seas Highway right of way—State Road No. 4-A—in the vicinity of Indian Key fill. Objection was based on erection of detrimental and unsightly structures at this point, and the Trustees were urged to deny applications from Albritton and Boatright for leases on State land.

Motion was made, seconded and adopted to defer action on resolution from Monroe County, pending receipt of information from Mr. Albritton as to the kind of structure he proposes to erect.

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The Secretary presented letter and maps filed with him by Rudolph Dieffenbach, Chief of Land Acquisition Division, U. S. Bureau of Biological Survey, requesting certain areas of State land on Lake Okeechobee and in Southern Florida, near Cape Sable, to be designated as wild life refuges.

Motion was made, seconded and adopted to defer action on request from the Biological Survey until the full membership of the Trustees could be present.

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Mr. Elliot presented request, heretofore submitted from the State Road Department, for right of way along the east shore of Lake Okeechobee in the Pelican Bay area. Discussion was had as to the advisability of making available to the Road Department this tract of rich farming land now under lease to Richlands Inc., and it was suggested that Mr. Elliot take up with the Road Department the possibility of securing permission from the United States to use the top of the Government Levee as a right of way for the proposed road.

Mr. Elliot was requested to follow the above suggestion and as soon as possible report his findings.

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#### CONSIDERATION OF LANDS UNDER SECTION 9, CHAPTER 18296, ACTS OF 1937

The Attorney General reported that he had been advised of suit instituted by the United States in connec-



tion with condemnation of certain lands within the boundaries of the Naval Air Base in Duval County, in which suit the Trustees had been made parties on account of two small bond judgments estreated.

Motion was made, seconded and adopted that the Attorney General be requested to examine into the matter. Whereupon, action was deferred pending report from the Attorney General.

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Mr. Elliot reported that the U. S. Biological Survey was desirous of establishing a wild life refuge in Southern Florida, and within the area selected the State owns approximately 82,000 acres, title to which vested under Chapter 18296, Acts of 1937. It was stated that if arrangements could be made for the sale of this area, the United States would offer fifty cents (50c) an acre, which is the amount represented by tax sale certificates.

Action was deferred until the full membership could be present.

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Discussion was had as to misunderstanding on the part of the Clerks of the Circuit Courts, acting as agents for the Trustees, with reference to rejection of bids. Also consideration was given to changing form of advertisement by giving notice that after fifteen days all lands not sold would be again offered for sale without further notice. Several suggestions were made but no definite action taken.

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The subject of fees charged by Trustees' agents was given consideration, one agent having requested permission to use a sliding scale of charges in order to fit all cases.

The Trustees expressed themselves as being agreeable to any reduction in costs, although the charges made by Clerks for services was not fixed by the board.

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The Trustees gave consideration to bids received by them on land advertised for sale under Section 9, Chapter 18296, Acts of 1937, in the following Counties:

Baker	Marion
Bradford	Martin
Clay	Pasco
Duval	Putnam
Flagler	Suwannee
Hamilton	Taylor
Hardee	

Bids were accepted, rejected or held for further consideration, as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,

Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 22, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Disposition of state and county tax certificates covering land sold under Chapter 18296 was considered and it was the opinion of the Trustees that such certificates should be filed with copy of deed conveying the land described therein.

Motion was made, seconded and adopted that the Secretary notify the Clerk of the Court in each county of the State to attach to all deeds authorized by the Trustees the certificates corresponding to such deed and transmit same to the office of the board. Certificates to be attached to copy of the deed and filed in the records.

The Trustees gave consideration to bids received by them on land advertised for sale under Section 9 of Chapter 18296, Laws of 1937, in the following counties:

Charlotte	Lafayette
Columbia	Monroe
Escambia	Orange
Franklin	Santa Rosa
Gadsden	St. Lucie
Indian River	Seminole
Jackson	

Bids were accepted, rejected, or held for further consideration, as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

The Secretary reported that several requests had been received that deeds be made in the name of parties other than those making bid to the Clerk.

Upon discussion, it was the action of the Trustees that deeds be made in the name of the person submitting bid to the Clerk, except where bid is made as representative for the party to whom deed is to be made.

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 25, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

The Trustees met with a Committee of the Florida Clerks Association on this date. The Clerks' Committee consisted of the following:

E. R. Bennett, President	
Florida Clerks Association.....	Broward County
G. M. Simmons.....	Brevard County
Langley Bell.....	Escambia County
George J. Dykes.....	Lake County
Carlyle Ausley.....	Marion County
O. P. Herndon.....	Seminole County
Roy Caruthers.....	Sumter County
J. L. McMullen.....	Suwannee County
Reed W. Morrison,	
Deputy Clerk .....	Volusia County

During the meeting numerous subjects relating to sale of land under Chapter 18296 were discussed by the Trustees and the Clerks. Those subjects requiring clarification and definite understanding as between the Trustees and the Clerks were agreed upon as follows:

1. That in reporting all bids on lands under Chapter 18296, the Clerks, as agents for the Trustees, will attach to such report a letter containing his recommendation in reference to such bid. He may state that all bids appearing on said report are recommended for acceptance, with exceptions, if any, and giving reasons therefor. Such recommendations to accompany all future reports. Also recommendation from the Clerk as to each report heretofore transmitted to the Trustees. Recommendation to be substantially in the following form:

RE REPORT OF BIDS NO..... FOR  
SALES DATED.....

I hereby recommend to the Trustees of the Internal Improvement Fund the acceptance of all bids shown on report above described, except the following:

Description	Name	Reason for Not Accepting
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2. That the Trustees will give careful consideration to the recommendations of their Agents and if there be a particular or special reason, in their judgment, for not following such recommendations, the Trustees will take up the subject with the Agent before final decision.
3. That for those bids heretofore rejected by the Trustees, reconsideration will be given. The Agents to notify such persons that bids will be reconsidered.
4. Any bidder whose bid has been rejected because the same was adjudged insufficient, may request the Agent to readvertise the land by paying cost of advertising only, provided amount of original bid has not been refunded, or if such amount has been refunded by re-depositing said amount with the Agent and paying cost of advertising. When advertised the land will be again offered for sale and bidding conducted in the regular manner, except that Agent will entertain no bid which is not in excess of the previously rejected bid.



5. That the Agent mail a registered letter to the former owner or person last paying taxes, if he be known, stating in effect that the land which he formerly owned, or on which he had paid taxes, would be offered for sale to the highest and best bidder for cash on the date specified in the notice.

All Clerks having been given an opportunity to express their views on the subject, the Trustees thanked the Clerks' Committee for coming up for the meeting.

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The Trustees adjourned to meet at 3:30 P. M. for consideration of other matters.

3:30 P. M.

The Trustees met in Comptroller Lee's office pursuant to recessed meeting of the morning with the same members present.

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In view of action taken at the morning session, with reference to reconsidering bids heretofore rejected by the Trustees which the various Clerks recommend be accepted, motion was made, seconded and adopted that the Trustees discontinue, for a limited time, accepting applications to advertise lands for sale and receive bids therefor until consideration and reconsideration has been given to sales now before them.

The Secretary was requested to immediately notify all Clerks of the Circuit Courts, as agents for the Trustees, to receive no applications on and after April 1, 1940, until further notice. Also that agents be requested to immediately notify the Trustees whether or not they recommend acceptance of all bids heretofore rejected, and to include such recommendations in all future reports.

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#### TRUSTEES SUBJECTS PROPER

Mr. Bayless reported that Tidewater Red Cypress Company was delinquent in payment for logs taken from Dead Lakes, check in the amount of \$1295.77 having been returned to the Trustees marked "Insufficient Funds." Also information had been received that the Company is on the rocks and creditors are seizing the property. Recommendation was made that the Attorney General's office take action to protect the State's interest in the property held by the Cypress company.

Motion was made, seconded and adopted that Mr. Bayless and an assistant from the Attorney General's office take the necessary steps to protect the interest of

the Trustees in the property held by Tidewater Red Cypress Company.

The following bills amounting to \$1,275.00 were approved and the Treasurer was requested to issue checks in payment thereof:

F. C. Elliot, Engineer and Secretary—March Salary .....	\$ 400.00
F. E. Bayless, Land Clerk, March Salary .....	275.00
M. O. Barco, Clerk-Stenographer, March Salary .....	175.00
Jentye Dedge, Clerk-Stenographer, March Salary .....	175.00
S. S. Savage, Field Agent, March Salary .....	200.00
H. L. Shearer, Land Office—part time, March Salary .....	50.00
	<hr/>
	\$1,275.00

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
March 30, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

Mr. M. C. McIntosh, Assistant Attorney General, reported that the Trustees of the Internal Improvement Fund hold \$3600 of Virginia Beach Company bonds as collateral security on Virginia Key property, which bonds were deposited with the Trustees on account of release of a portion of the land from the mortgage; that Title and Trust Company of Jacksonville, Florida, trustee for the bondholders, had advised that various amounts had been advanced for payment of taxes and adjustments under the Murphy Act, but they did not

feel disposed to pay 1939 taxes now due. Information was given that the land covered by the bonds had been foreclosed and Master's deed executed and delivered to the Trust Company.

Upon discussion of the subject, the Trustees directed that the Attorney General inform Title and Trust Company of Jacksonville that since the Trustees of the Internal Improvement Fund only hold certain bonds as collateral they do not feel disposed to advance any money for taxes and other purposes.

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The Attorney General presented request from Okeechobee Flood Control District for land desired by the United States in connection with Moore Haven Lock Site, which land is located in Glades County and designated as Parcels 1A, AB, 2-X and 3-X.

Form of deed having been prepared and approved by the Attorney General, motion was made, seconded and adopted to execute deed in favor of the United States covering the parcels above enumerated.

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#### CONSIDERATION OF LAND UNDER CHAPTER 18296, ACTS OF 1937

Attorney General Gibbs stated that in connection with conveyance of land to the United States, for parcels in Glades County necessary for Moore Haven Lock site, Okeechobee Flood Control District had made arrangements to acquire three parcels of land from W. A. Roebuck of West Palm Beach, conditioned upon the Trustees accepting his bid for the land which reverted to the State under Chapter 18296.

Upon consideration of the bid submitted by Mr. Roebuck as former owner, the Trustees accepted his offer for the three parcels and deeds were ordered issued.

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Mr. Elliot reported that a number of counties had not as yet furnished the Trustees with lists of certificates although they had been requested to do so several times; however, sales were being held in such counties and bidders were requesting action on bids. The disadvantage of proceeding with sales where lists of certificates were not available was pointed out, and it was recommended that bids be not accepted in those counties.

Motion was made, seconded and adopted that the Trustees re-affirm former action that no sales be considered in counties where lists of certificates had not been filed with the Trustees; also that Clerks be notified

to not receive applications and advertise lands until lists are in the hands of the Trustees.

Discussion was had as to advisability of having additional copies of lists of certificates prepared and made available in other county offices, but no action was taken.

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Mr. Knott requested that bid of Hubert and Tennie Mercer of Sneads, Jackson County, Florida, be given consideration at this time.

Report from Clerk of the Court of Jackson County disclosed that the Mercer's were former owners of the land and that their bid was equal to one-fourth of the 1932 assessed value on a portion of the land and the full amount of taxes due on the remainder.

Motion was made, seconded and adopted that bid of Hubert and Tennie Mercer be accepted for land reported in Clerk's sale of March 25, 1940, Jackson County. Deed was ordered executed.

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The Secretary submitted draft of minutes covering action taken by the Trustees March 25th, dealing with subjects presented by the Committee of Florida Clerks' Association.

Motion was made, seconded and carried that minutes presented by the Secretary of action taken March 25th be adopted and that all Clerks of the Circuit Court, as agents for the Trustees, be sent copy of the action taken.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
April 8, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.



The Trustees met in special session pursuant to request from Dade County Commissioners and City Officials of Miami. The delegation was composed of the following:

C. H. Crandon, Chairman Finance Committee,  
Dade County  
F. W. Cason, Attorney, Board of County Commissioners  
E. F. Friedman, Engineer for Dade County  
O. P. Hart, Aviation Department, City of Miami  
John W. Watson, Jr., City Attorney for Miami  
John Morris, Secretary Chamber of Commerce  
Van Orsdel, City Commissioner ;  
Charles Albury.

Representatives of Dade County and the City of Miami presented to the Trustees application to purchase approximately 65 acres of submerged land on Virginia Key, desired in connection with a joint project of the County and City for providing a public bathing beach, recreation park, and to develop and enlarge Miami's harbor and docking facilities. It was explained that this area owned by the State was the only available tract for connecting by causeway the mainland with Biscayne Key, which key when developed would afford the people of Miami, Dade County, and the whole State, two miles of the finest beach in South Florida.

Information was furnished that the application to the Reconstruction Finance Corporation for a loan to develop the project was in the hands of the examining board and that they were only awaiting action by the Trustees as to acquisition of the 65 acres on Virginia Key before making decision. The Matheson estate has agreed to give a large area of land if the development goes through.

Mr. Cason, Attorney for the County, stated that he was authorized to make an offer of \$100 an acre for the 65 acres, but requested that the Trustees donate the State's part and only require payment of the School Board's portion. The Attorney General advised that the Trustees were without authority to give away any land without legislative action.

It was called to the attention of the Trustees that John M. Sutton, under a former contract, would have preference of purchase at the price offered, or in lieu thereof he could waive such right and receive commission on the sale.

Mr. Cason informed the board that the County was unable to contact Mr. Sutton, but had a letter from

Charles R. Pierce, formerly associated with Mr. Sutton in the contract, to the effect that he felt sure Mr. Sutton would waive his right to purchase and take the commission due him on the sale.

Mr. Albury, in the interest of shipping and harbor facilities, stated that arrangements had been made for ten large cruise ships of the Holland-American line to stop at Miami last winter, as well as ships of other companies, but after one attempt to land passengers the second call had to be abandoned on account of inadequate facilities; that it is absolutely necessary for the Miami harbor to be developed and enlarged in order to compete with New York harbor.

Other members of the delegation urged that the Trustees agree to sell the land to the County for the price offered, setting forth facts and statistics as to the growth of Miami and Dade County, the increase in revenue and business which would come into the State with construction of the proposed projects.

The Attorney General requested information as to whether or not all objections to the sale of this land had been withdrawn; that it was his information there was objection to such sale.

Mr. Crandon replied that there was an objection from Mr. Hunt as to the starting point of the causeway being from 25th Road on the Mainland that an effort was being made, and the City had an option from the Deering Estate for right of way, to have the starting point from 26th Road, and he knew of no objection as to that location.

After full discussion of the subject, the Chairman notified the delegation that the Trustees desired the application in writing, with a description of the land; that Mr. Sutton would have to be notified of the offer submitted and allowed the privilege of accepting or rejecting; that upon advice that he would have no objection to the sale but would accept his commission, the Trustees would then take action.

The delegation urged that the Trustees act on the application at this time, subject to Mr. Sutton's rights, in order that the RFC might have the necessary information for taking action on request for loan.

Whereupon, motion was made, seconded and adopted that, conditioned upon Mr. Sutton waiving his right to buy the land at the price offered, the Trustees agree to sell the 65 acre tract of submerged land on Virginia Key to Dade County at a price of \$100 an acre net to the State, purchasers to settle with Mr. Sutton for commission due him on the sale.

The Attorney General reported that he was ready to render his opinion with reference to the right of the Trustees to grant right of way to the State Road Department over and across Old Tampa Bay, and submitted the following written opinion:

"April 2, 1940.

Trustees Internal Improvement Fund

CAPITOL

Gentlemen:

RE: Application of State Road Department for Grant of Perpetual Easement for Causeway and Bridge Across Old Tampa Bay in Hillsborough and Pinellas Counties.

You have referred this matter to me with the request for my opinion as to the authority of the Trustees of the Internal Improvement Fund to grant to the State Road Department of Florida a perpetual easement for right of way purposes for the construction of a causeway and bridge for public road purposes over, through and across Old Tampa Bay, a navigable body of water in Hillsborough and Pinellas Counties, and the submerged lands adjacent thereto.

In this connection I have given careful consideration to the arguments for and against the granting of said application as contained in the briefs of counsel submitted. I have also considered the long established custom of the Trustees in granting similar requests, and have reached the conclusion, and I am of the opinion, that the Trustees have the authority to grant to the State Road Department perpetual easements for public road purposes, including bridges and causeways, over, through and across navigable streams and bodies of water, which authority includes the right to grant the above application.

Yours very truly,

GEORGE COUPER GIBBS,

Attorney General."

HEC/ed

Whereupon, the following Resolution was presented:

#### R E S O L U T I O N

At a meeting of the Trustees of the Internal Improvement Fund of the State of Florida held at the Capitol in Tallahassee, Florida, on the 8th day of April, A. D. 1940, it was moved and seconded that the application

of the State Road Department of the State of Florida for a perpetual easement for right of way for the construction of a causeway and bridge across Old Tampa Bay in Hillsborough and Pinellas Counties, in the State of Florida, be granted, subject to the conditions and restrictions usually imposed by the Trustees in similar grants; and that said application be granted with the understanding that the Trustees are not selling or otherwise disposing of State property, but merely permitting the use of State property for a State purpose as has heretofore been done in many similar cases, and that in taking this action the Trustees have not taken into consideration and do not undertake to determine the question of the authority of the State Road Department to establish State Roads.

Upon consideration, the motion was adopted.

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
April 9, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees dated March 12th, 20th, 21st, 22nd, 25th, 30th, and April 8th, 1940, approved.

Offer of \$95.49 was submitted by A. R. Richardson, on behalf of Charles Beck, to purchase the interest of the Trustees in one-half of Everglades Drainage Tax Certificate No. 1229 covering the E $\frac{1}{2}$  of Lot 24, Subdivision of State Survey, less Ry R/W, Section 31, Township 43 South, Range 37 East—containing 10 acres, less R/W, in Palm Beach County. The Trustees were informed



that the bid was equal to one-half of the amount of Certificate No. 1229 plus \$10.

Motion was made, seconded and adopted to accept offer from Mr. Richardson of \$95.49 for land applied for as above, and deed was ordered executed in favor of Charles Beck.

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On February 26th, the Trustees agreed to sell to Isle of Dreams Radio Station—WIOD Miami—a 5.5 acre tract of submerged land in Biscayne Bay adjacent to 79th Street Causeway for the sum of \$500 an acre, subject to advertisement for objections as required by law. Whereupon, the following Notice was published in the Miami Daily News on March 4th, 11th, 18th, 25th and April 1st, 1940:

Tallahassee, Florida,  
February 29, 1940.

#### N O T I C E

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, April 9, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in DADE County, Florida:

Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, Dade County, Florida, run North  $88^{\circ} 41' 24''$  East, along the center line of the 79th Street Causeway highway right of way (100 feet wide) a distance of 1560.0 feet to the point of beginning of the parcel of land herein described.

Thence North  $1^{\circ} 37' 08''$  West, 600.0 feet;  
Thence North  $88^{\circ} 41' 24''$  East, 400.0 feet;  
Thence South  $1^{\circ} 37' 08''$  East, 600 feet;  
Thence South  $88^{\circ} 41' 24''$  West, 400.0 feet to the point of beginning.

Containing 5.5 acres, more or less, and lying and being in Biscayne Bay in Section 9, Township 53 South, Range 42 East.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

FRED P. CONE, Governor.

Attest: F. C. Elliot, Secretary.

No objection having been filed or presented, sale was consummated to Radio Station WIOD upon payment of \$500 an acre plus cost of advertising.

The Trustees agreed on January 30th to sell to G. R. Lee for the sum of \$100 one-fourth acre of submerged land adjoining upland property owned by him on Boca Ceiga Bay, in Section 13, Township 31 South, Range 15 East, Pinellas County. Pursuant to such action the following Notice was published in the Clearwater Sun on March 1st, 8th, 15th, 22nd, and 29th, 1940:

Tallahassee, Florida,  
February 27, 1940.

#### NOTICE

NOTICE IS HEREBY GIVEN That the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, April 2, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in PINELLAS County, Florida:

Starting at the intersection of the easterly boundary line of State Road No. 233 and a boundary line established by agreement between the owners of Government Lot 2, Section 10, Township 31 South, Range 15 East, and Government Lot 2, Section 15, Township 31 South, Range 15 East, and recorded in Pinellas County Deed Book 755, Page 267; run thence S. 49° 21' East, 1344.03 feet along the easterly boundary of said State Road No. 233, thence S. 55° 21' E. 273.80 feet; thence N. 37° 21' E. 273.00 feet to the SW Cor. of Lot 3, Block W, Page's Replat of Mitchell's Beach as recorded in Pinellas County, Plat Book 20, Page 69, said point also being a point of intersection with the mean high tide line of Boca Ceiga Bay, said point also being the point of beginning; run thence N. 55° 21' W. 70.0 feet; thence N. 57° 11' 24" E. 35.30 feet; thence N. 76° 25' 06" E. 34.32 feet; thence N. 78° 38' 42" E. 48.37 feet; thence S. 74° 24' 10" E. 85.38 feet; thence S. 37° 21' W. 56.00 feet; thence N. 81° 04'

12" W. 48.21 feet; thence S. 72° 51' W. 56.00 feet to the point of beginning, all lying and being in Government Lot 2, Section 15, Township 31 South, Range 15 East, Maderia Island, Pinellas County, Florida, and containing in all 0.21 acres, more or less.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

FRED P. CONE, Governor.

Attest: F. C. Elliot, Secretary.

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The Trustees having received no objections, sale was confirmed to G. R. Lee for the land described in notice upon payment of \$100 plus cost of advertising.

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At a meeting of the Trustees, January 23rd, it was agreed to advertise for competitive bids land in Palm Beach County applied for by I. G. Atwell on behalf of Dr. Pedro Grau, applicant agreeing to pay not less than \$20 an acre on date of sale provided no higher bid was received. \$500 was filed as good faith, whereupon the following notice was published in the Palm Beach Post of West Palm Beach, Florida, March 4th, 11th, 18th, 25th and April 1st, 1940:

Tallahassee, Florida,  
February 29, 1940.

#### NOTICE

Notice is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will receive competitive bids at 12 o'clock Noon, Tuesday, April 9th, 1940, at Tallahassee, Florida, for the following described lands in Palm Beach County, Florida:

All of Sections 5, 9, 15, 23, 27, 35 and the East Half of Section 17, Township 42, South, Range 38 East. Containing 4,800 acres, more or less.

This Notice is published in compliance with Section 1222 of the Revised General Statutes of Florida, that any person or persons who wish to bid on said land may have an opportunity to

present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

FRED P. CONE, Governor.

Attest: F. C. Elliot, Secretary.

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No higher bids having been received on date of sale, the Trustees accepted bid of \$20 an acre from Dr. Pedro Grau and directed that sales contract be prepared for execution.

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Mr. Bayless reported that pursuant to directions from the Trustees he had made investigation of proposed building to be erected by John W. Albritton on a small tract of State land in Section 11, Township 64 South, Range 36 East, adjacent to Over-Seas Highway right of way in Monroe County. A drawing of the proposed building was presented with statement that Mr. Albritton expects to spend between \$1200 and \$1400 on the fishing camp to be constructed.

Upon discussion, motion was made, seconded and adopted that lease for a term of five years be granted to Mr. Albritton upon payment of \$100 annually in advance for a parcel 100 X 100 feet.

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The Trustees deferred action on application of Angus P. Boatright, Islamorada, Monroe County, Florida, for lease of a parcel of water bottoms adjacent to Over-Seas Highway, for which an offer of \$50 annually was made.

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Mr. Bayless submitted report from S. S. Savage, Field Agent, on application from T. T. Scott to purchase timber on State land in Hendry County, estimating 1,017,175 feet of pine timber on the tract.

Motion was made, seconded and adopted to accept offer of \$6 per thousand from Mr. Scott, allowing one year for removing pine timber from State owned land located in Sections 4, 8, 10 and 16 of Township 45 South, Range 33 East, Hendry County.

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Application was presented from Consolidated Operations Corp., requesting that the area covered by Mineral Sand lease granted by the Trustees March 12th, 1940, be extended to include that part of the Indian River on the western shore, between Eau Gallie on the south and Cocoa on the north.



Motion was made, seconded and adopted to include in lease granted Consolidated Operations Corp., the additional area requested, and that clause be added to the lease providing for cancellation, upon objections deemed adequate by the Trustees, after 90 days notice.

Motion was made, seconded and adopted to accept fifty cents (50c) an acre from Flamingo Groves Inc., for release of oil and mineral rights in deed conveying 960 acres of land in Sections 12, 13, 23 and 24, Township 50 South, Range 40 East, Broward County.

Offer of twenty cents (20c) an acre was submitted from W. B. Norton for grazing lease on 496.34 acres of State land in Section 2, Township 40 South, Range 33 East, and in Sections 34 and 35, Township 39 South, Range 33 East, Glades County.

Motion was made, seconded and adopted to decline offer of 20 cents an acre for grazing lease on the land applied for by Mr. Norton, a price of 25 cents an acre being fixed by the Trustees for such lease.

Motion was made, seconded and adopted to decline offer of 15 cents an acre from K. L. Worth of Okeechobee, for one year grazing lease on Lot 4, Section 23, Township 37 South, Range 33 East, being 34 acres in Okeechobee County. It was agreed, however, to execute one year lease on the tract described upon payment of \$10 annually.

Mr. Baylss reported that in connection with exchange of lands between the United States and the Trustees, for the use and benefit of the Seminole Indians, the Land office had been notified that state and county tax certificates amounting to \$53.42, and Napoleon B. Broward Drainage district taxes amounting to \$1,086.60 are held by individuals, and under agreement with the United States the Trustees are obligated to redeem the certificates.

The Trustees directed that the certificates be redeemed and that adjustment be made by use of Broward Drainage District bonds if possible.

Application was submitted from Chancey & Chancey, Attorneys of Ft. Lauderdale, requesting release of reservations in deed from the State to Ocean River Corporation, having reference to 25 lots of Oceanview S/D, of

Section 5, Township 48 South, Range 43 East, Broward County.

Motion was made, seconded and adopted to release reservations from the 25 lots as requested upon payment of \$25.

Motion was made, seconded and adopted to release oil and mineral reservations in deed to R. G. Johnson, Jr., covering  $\frac{3}{4}$  acres of land in Sections 22 and 24, Township 43 South, Range 36 East, Palm Beach County, upon payment of \$5.

The following bills amounting to \$4,764.46 were approved and checks ordered issued in payment therefor:

F. E. Bayless, Land Clerk, Tallahassee, Fla.	\$ 21.87
M. C. McIntosh, Asst. Attorney General, Tallahassee, Fla.	24.75
S. S. Savage, Field Agent, Ocala, Fla., Expense Account	379.12
W. B. Granger, Belle Glade, Fla., Expense Account	29.50
The Clearwater Publishing Co., Clearwater, Fla.	12.00
The Star, Port St. Joe, Fla.	45.00
The Miami Herald, Miami, Fla.	34.30
Miami Daily News, Inc., Miami, Fla.** (See Note)	10.50
Frank Stoutamire, Sheriff, Tallahassee, Fla.	15.05
Guyte P. McCord, Clerk Supreme Court, Tallahassee, Fla.	15.00
Paul V. Lang, Clerk Circuit Court, Tallahassee, Fla.	1.85
James A. Ellis Company, Jacksonville, Fla.	1.00
Capital Office Equipment Co., Tallahassee, Fla.	3.00
Railway Express Agency, Tallahassee, Fla.	1.22
Western Union, Tallahassee, Fla.	9.69
Postal Telegraph-Cable Co., Tallahassee, Fla.	4.79
Southeastern Telephone Co., Tallahassee, Fla.	13.10
Everglades Fire Control District, Lake Worth, Fla.	3,000.00
John L. Graham, Asst. Attorney General, Tallahassee, Fla.	2.70
E. R. Bennett, C. C. C., Ft. Lauderdale, Fla.	1,140.02
	<b>\$4,764.46</b>

Note: Check 11683 returned and later used in payment of bill for \$14.25 dated 8/13/40 in favor of Miami Daily News.

Financial Statement for March, 1940, is as follows:

# FINANCIAL STATEMENT FOR MARCH, 1940 RECEIPTS

Various land sales .....	\$ 1,860.62
Farm leases .....	2,391.71
Sand and Shell leases .....	216.98
Grazing leases .....	252.00
Timber lease .....	614.00
Sale of timber .....	9,465.86
Water bottom lease .....	37.50
Sale of minutes .....	4.61
<hr/>	
Total receipts during month .....	\$ 14,843.28
Balance on hand March 1, 1940 .....	98,239.04
<hr/>	
	\$113,082.32
Less disbursements .....	4,781.39
<hr/>	
Balance March 31 .....	\$108,300.93

## BALANCES IN BANKS MARCH 31, 1940

Atlantic National Bank, Jackson- ville, Fla. ....	\$ 79,861.12
Florida National Bank, Jackson- ville, Fla. ....	17,821.31
The Capital City Bank, Tallahas- see, Fla. ....	9,618.50
<hr/>	
Total in Banks .....	\$107,300.93
Cash on hand and cash items .....	1,000.00
<hr/>	
	\$108,300.93

## DISBURSEMENTS

Date 1940	No.	In Favor of	Amount
Mar. 16,	11657	Everglades Fire Control Dist- rict .....	\$3,000.00
	11658	S. S. Savage .....	138.71
	11659	W. B. Granger .....	24.50
	11660	Wm. Logan Hill, Clerk U. S. Court .....	13.05
	11661	Proctor & Proctor, Inc .....	69.68
	11662	Standard Oil Co. ....	16.44
	11663	American Oil Company .....	21.15
	11664	Railway Express Company .....	.90
	11665	Capital City Publishing Co. ....	95.30
	11666	Commercial Office Supply Co. ....	103.00

	11667	Southeastern Telephone Co. ....	12.35
	11668	Western Union Telegraph Co.....	10.30
	11669	Postal Telegraph-Cable Co. ....	1.01
30,	11670	F. C. Elliot .....	400.00
	11671	F. E. Bayless .....	275.00
	11672	M. O. Barco .....	175.00
	11673	Jentye Dedge .....	175.00
	11674	S. S. Savage .....	200.00
	11675	H. L. Shearer .....	50.00

TOTAL DISBURSEMENTS FOR  
MARCH, 1940 .....\$4,781.39

#### TRUSTEES OF THE INTERNAL IMPROVEMENT FUND UNDER CHAPTER 18296

Balance March 1, 1940 .....	\$3,267.58
Receipts during month—land sales.....	5,491.33
Balance March 31, 1940 .....	\$8,758.91

#### BALANCE IN BANKS

Atlantic National Bank, Jacksonville, Fla. ....	\$7,779.23
The Capital City Bank, Tallahassee, Fla. ....	979.68
	\$8,758.91

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

The Trustees directed the Secretary to notify all Clerks of the Circuit Courts, acting as agents for the Trustees, to require banks holding moneys deposited under Chapter 18296 to put up collateral covering such funds.

The Secretary reported that he is receiving letters from Agents of the Trustees stating that they have employed extra clerks to do necessary work in connection with the Murphy Act and in order to maintain the personnel it would be helpful to know approximately when the Trustees will resume sales under Chapter 18296.

The Trustees were unable at this time to name a date for resuming sales and the Secretary was requested to so advise the Agents.

Mr. Elliot submitted letter from Clerk of the Circuit Court, Manatee County, listing certificates under the



Murphy Act covering land within Manatee Valley Drainage District. In such letter it was stated that V. H. Osborn, Receiver for the District, prior to June 9, 1939, filed with the Clerk a check for \$2000 requesting that he advertise under the Murphy Act all certificates covering land in that district; that through clerical error certain of the certificates were omitted and information is now requested as to how these errors may be rectified.

Motion was made, seconded and adopted that the matter be referred to the Attorney General for advice as to procedure.

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Resolution was submitted from County Commissioners of Lake County, requesting that the Trustees retain title to, or convey to a proper department of the State, lands coming to the State under Chapter 18296, located in Section 17, Township 19 South, Range 24 East, on which it is proposed to locate the Agricultural Experiment Station now occupying privately owned land.

It was the Trustees action that they had no authority to dispose of land described except as specified in the law—that the lands be sold.

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Request was submitted from the State Road Department for easement covering right of way 100 feet wide to be used in Connection with State Road No. 140 in Brevard County, such land having vested in the State under Section 9 of Chapter 18296.

Motion was made, seconded and adopted that easement be granted to the State Road Department for right of way 100 feet wide as described in application for use in connection with State Road No. 140, Brevard County.

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The Secretary submitted to the Trustees for action erroneous credit of taxes in Hillsborough County, having reference to payment by Douglas McMichael of taxes on two lots in Rosedale S/D of Hillsborough County, which through error the Clerk credited to taxes on two other lots in another Rosedale S/D, resulting in sale of the Lots owned by Mr. McMichael.

It was the opinion of the Trustees that this was a matter to be handled by the Comptroller and recommended that Mr. McMichael request the Clerk of the Circuit of Hillsborough County to recommend that the certificate be cancelled by the Comptroller.

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The Trustees gave consideration to bid received from E. Berquist for land advertised for sale under Section

9 of Chapter 18296, in Dade County sale of March 1st. Bid was accepted and deed ordered issued.

Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
April 23, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Trustees Minutes of April 9th presented and approved.

Request was submitted from the State Road Department for perpetual easement over State land in Brevard County required in connection with State Road No. 70 leading to the Airport now being developed near Cocoa Beach.

Motion was made, seconded and adopted to grant perpetual easement in favor of the State Road Department through State land in Brevard County, described as:

That part of Fractional Section 36, Township 24 South, Range 36 East, and Fractional Sections 31 and 34, Township 24 South, Range 37 East, being within the 400 foot right of way on each side of the center line of State Road No. 70, Project 5321.

The Secretary was directed to have easement executed and delivered to the State Road Department.

Application was presented from D. M. Dominici, Ft. Pierce, on behalf of L. L. Williamson, offering ten cents (10c) per tie for all cross ties cut from timber located

on Sections 1, 2, 11, 12, 13 and 14, Township 28 South, Range 39 East, Martin County, which land vested in the State through foreclosure under Chapter 14572, Acts of 1929. Applicant agrees to furnish \$250 performance bond, and make payment on or before the 15th and 30th of each month for all ties cut.

Report was submitted from S. S. Savage, Field Agent, estimating the timber to cut 10,630 ties.

Motion was made, seconded and adopted that Mr. Williamson be given a lease to cut ties from Martin County land applied for upon payment of twelve and one-half cents (12½c) per tie. Bond in the sum of \$250 to be filed with the Trustees.

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The Secretary reported that with reference to Grazing lease authorized in favor of Guy Winthrop in May, 1939, Mr. Winthrop had been unable to get possession of the land on account of a squatter. The matter was taken up with the Clerk of the Circuit Court of Glades County, who furnished information that Joe B. Hendry took deed to the land in question from Flor-Haven Corporation, subject to taxes; that he cleared up State and County taxes through the Murphy Act and had paid up all State and County taxes to and including the year 1938. Also that George Cason had been squatting on the land for several years and claimed 214.3 acres through adverse possession. Mr. Hendry started ejectment suit against Mr. Cason but no progress had been made to date.

In view of the above information, Mr. Winthrop desired to know whether or not his lease was sufficient to give him undisputed use and possession of the property. If so he desires the lease to stand—if not he requested that his money be refunded.

Motion was made, seconded and adopted that the matter be referred to the Attorney General for investigation and report.

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Letter was submitted from W. H. Burwell, representing Martha Small Pittman, enclosing check for \$11.94, which amount the Trustees had agreed to accept for its equity represented by Drainage Tax Certificate No. 5284, Sale of 1928, on the NE¼ of SW¼ of NW¼ of Section 14, Township 56 South, Range 39 East—10 acres in Dade County.

Information was furnished that the above action took place October 20th, 1938, but check was only received on March 20, 1940.

Motion was made, seconded and adopted to notify Mr. Burwell that deed would be issued to Mrs. Pittman upon payment of \$15.

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The Trustees passed for further consideration the application from Quartermaster General of the U. S. Army for lease on 4800 acres of land in Dade County, desired for use by the Air Corps as a Practice Bombing Range.

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Motion was made, seconded and adopted to decline offer from Frank Strubbe of Miami, of  $2\frac{1}{2}$  cents an acre rental for five year oil lease on State land in Lake Okeechobee region.

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Mr. Bayless reported that pursuant to action of the Trustees April 9th, authorizing payment of Napoleon B. Broward Drainage district taxes on State lands, check was issued and transmitted to Mr. Bennett with instructions to use bonds in payment of taxes where a saving could be effected. Check was returned with statement that owing to recent Supreme Court decision the District had no authority to cancel any back taxes, and it would therefore be necessary for the Trustees to pay the full amount of \$3,397.17.

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Motion was made, seconded and adopted that the Attorney General look into the matter of Broward Drainage District and report his recommendations to the Trustees.

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Offer of \$250 an acre was submitted by Adair, Kent, Ashby & McNatt, Attorneys of Jacksonville, for Barbara Danielson and Marian D. McCormick, to purchase 29 acres of reclaimed land in Section 19, Township 53 South, Range 42 East, Dade County. The Trustees were informed that the land fronts on Biscayne Bay, lies contiguous to applicants property and was bulkheaded and filled not more than ten years ago.

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It was moved, seconded and adopted to decline offer of \$250 an acre, the Trustees being of the opinion that the land was worth at least \$500 an acre.

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Motion was made, seconded and adopted to decline offer from C. B. Wallace of Miami, of \$5 an acre for the SE $\frac{1}{4}$  of Section 28, Township 53 South, Range 40 East, Dade County, located about three miles northwest of the City limits of Miami.

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The Trustees declined offer of \$20 an acre from Joseph Hutner, Miami Beach, for Lot 6, between Townships 53



and 54 South, Range 40 East, Dade County, located approximately 5 miles west of Miami.

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Application was presented from Adair, Kent, Ashby & McNatt, Attorneys of Jacksonville, for release of mineral reservations in deeds 18549, 18550 and 18551 conveying submerged land at Port St. Joe, Florida.

Motion was made, seconded and adopted to execute release of mineral reservations contained in the above deeds upon payment of \$15.

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Motion was made, seconded and adopted to execute deed releasing oil and mineral reservations contained in Trustees deed conveying a strip of land twenty (20) feet wide adjoining Lots 28 to 32 inclusive, Block 1 of Palm Island in Biscayne Bay, for a consideration of \$5. Deed to be made to George J. Baya of Miami.

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Offer of \$12.50 an acre was presented from Walter R. Clark of Fort Lauderdale for the purchase of that portion of Section 4, Township 50 South, Range 40 East, lying South of North New River Canal, and located about 13 miles west of Fort Lauderdale.

Motion was made, seconded and adopted to decline offer from Mr. Clark, the Trustees being of the opinion that the land was worth more than the offer submitted.

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The Trustees authorized Sand and Gravel lease in favor of Charles Fozzard, represented by Harry B. Fozzard, upon payment of 7½ cents per cubic yard for all material removed from Black Creek in Clay County. Lease to be for a period of one year.

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Motion was made, seconded and adopted to grant request of Streety Durrance for renewal of grazing lease covering 400 acres of land in Sections 14 and 23, Township 37 South, Range 30 East, Highlands County. Payment to be made at the rate of 15 cents an acre on lease renewed for a period of one year.

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Letter was presented from T. V. Moore, Miami, offering \$500 an acre for any spoil areas lying between Venetian and 79th Street Causeways in Biscayne Bay; also 200 an acre for all spoil areas in Biscayne Bay lying west of Indian Creek Golf Course.

Motion was made, seconded and adopted to decline offers made by Mr. Moore.

Application was presented from Carl Stine, Miami, on behalf of Ship No. 19, Boy Scouts of America, for lease on a spoil area in Biscayne Bay, located in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 30, Township 53 South, Range 42 East, Dade County, lying to the east of Intracoastal Waterway channel and approximately one mile north of Venetian Causeway.

Motion was made, seconded and adopted to lease the spoil area applied for to Ship No. 19, Boy Scouts of America for a period of one year upon payment of \$25.

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Offer of \$20 an acre was submitted from G. A. Hubbell, Belle Glade, for the purchase of Section 31, Township 43 South, Range 39 East, Palm Beach County, located on the north side of Cross Canal about six miles west of Twenty Mile Bend.

Motion was made, seconded and adopted to decline offer of \$20 an acre from Mr. Hubbell for the land applied for.

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Offer of \$5 an acre was resented from J. E. and Esko Collins, Branford, Florida, for the purchase of 160 acres of State land in Section 6, Township 6 South, Range 14 East, Suwannee County.

Mr. Bayless reported that Mr. Savage had examined the land and his estimate was in excess of the offer submitted.

Motion was made, seconded and adopted to decline offer of \$5 an acre. It was agreed, however, to accept \$1000 for the land and timber.

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The Secretary reported payment by F. E. Bayless of \$88.80 representing car mileage incurred on business for the Trustees from March 27th to April 12th, inclusive, which amount had been credited on \$200 note of Mr. Bayless on account of purchase of Buick car, leaving a balance of \$111.20 due on note.

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The following bills amounting to \$1,275.00 were approved and the Treasurer was requested to issue checks in payment thereof:

F. C. Elliot, Engineer and Secretary—April Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—April Salary .....	275.00
M. O. Barco, Clerk and Stenographer—April Salary .....	175.00
Jentye Dedge, Clerk and Stenographer—April Salary .....	175.00

S. S. Savage, Field Agent, Ocala, Fla.—April Salary .....	200.00
H. L. Shearer, Land Office—part time Clerk—April Salary .....	50.00
	<hr/>
	\$1,275.00

#### CONSIDERATION OF LAND UNDER CHAPTER 18296, ACTS OF 1937

The Secretary presented letter from R. C. Brent, Jr. in charge of land acquisition for Withlacoochee Coterminus Project, requesting that the Trustees give the United States an option to purchase 840 acres of land which vested in the State under Section 9 of Chapter 18296, Acts of 1937, located in Hernando, Citrus, Pasco and Sumter Counties. The 1932 valuation of the lands applied for amounts to \$3970 and the appraisal value set up by the Withlacoochee Project amounts to \$2472.50. 25% of the 1932 assessed value would be \$992.50.

Upon discussion, the Trustees were of the opinion that they had no authority to grant options on lands coming to the State under Chapter 18296, and the Secretary was directed to so notify Mr. Brent.

The Trustees authorized payment of the following amounts to Clerks of the Circuit Courts on account of preparation of lists of certificates under Chapter 18296:

E. H. Scott, Charlotte County, Punta Gorda, Fla. Payment in full .....	\$ 113.24
E. B. Leatherman, Dade County, Miami, Fla. Part payment .....	325.00
Mary M. Gwynn, DeSoto County, Arcadia, Fla. Payment in full .....	153.48
Elliot W. Butts, Duval County, Jacksonville, Fla. Payment in full .....	960.56
Dale B. Brown, Flagler County, Bunnell, Fla. Payment in full .....	137.28
W. P. Dodd, Franklin County, Apalachicola, Fla. Payment in full .....	151.08
F. F. Morgan, Gadsden County, Quincy, Fla. Payment in full .....	57.72
J. R. Hunter, Gulf County, Wewahitchka, Fla. Payment in full .....	34.00
Douglas Baker, Indian River County, Vero Beach, Fla. Payment in full .....	306.68
Geo. J. Dykes, Lake County, Tavares, Fla. Part payment .....	219.00

Iverson Lloyd, Manatee County, Bradenton, Fla.	
Payment in full .....	204.00
J. R. Pomeroy, Martin County, Stuart, Fla.	
Payment in full .....	325.64
A. J. Burnside, Pasco County, Dade City, Fla.	
Part payment .....	88.00
O. P. Herndon, Seminole County, Sanford, Fla.	
Payment in full .....	144.20
L. L. Pararo, Wakulla County, Crawfordville, Fla. Payment in full .....	61.28
M. O. Harrison, Manatee County, Palmetto, Fla.	
Refund account deed not issued .....	50.00
G. M. Simmons, Brevard County, Titisville, Fla.	
Part payment .....	369.00
	<hr/>
	\$3,700.16

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
April 24, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937.

The Secretary presented request from Duval County that the Trustees waive the rules and allow certain lots in that county to be advertised and sold under Chapter 18296.

Motion was made, seconded and adopted that the Duval County request be declined owing to the fact that the Trustees have numerous similar requests on file and it would be impracticable to grant one and not the others.



Consideration was given to bids received by the Trustees for lands advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in the following counties:

Franklin County  
Lake County

Bids were accepted, rejected, or held for further consideration, as shown by the office records, with disposition to be made of each case as indicated by said records.

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Upon motion duly adopted the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
April 29, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Discussion was had as to whether or not it would be advisable to allow raising of a bid, rather than rejection, where the Trustees deemed the price bid too low.

The Attorney General advised that he could see no objection to permitting a bidder to raise the amount bid where there was no competition at the advertised sale.

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Letter was presented from Edward G. Newell, Attorney of West Palm Beach, on behalf of client Charles Nuchols, having reference to payment of taxes on parcel of land owned by another party when payment should have been on adjacent tract owned by Mr. Nuchols. Parcel on which Mr. Nuchols intended payment to apply vested in the State under Chapter 18296. Mr. Newell requests that the Trustees cancel certificates against the Nuchols property.

The Trustees directed that Mr. Newell be advised to make the proper representation of facts to the Comptroller, through the Clerk of the Circuit Court, and request that order for cancellation of certificates be made to the Clerk. If in the judgment of the Comptroller the situation warrants cancellation of certificates the necessary order will issue.

Consideration was given to bids received by the Trustees for lands advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in the following counties:

Duval County  
LaFayette County  
Lake County  
Liberty County  
Pinellas County  
Putnam County

Bids were accepted, rejected, or held for further consideration, as shown by the office records of the Trustees, with disposition to be made of each as indicated by said records.

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
April 30, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Clarence H. Martin, City Attorney, Port Tampa, Florida, came before the Trustees and urged that the bid of the City of Port Tampa in the amount of \$1834

be accepted for several hundred lots on which municipal liens have been foreclosed resulting in execution of Master's deed in favor of the City.

Report from Clerk of the Circuit Court of Hillsboro County was examined and it was ascertained that there were several competitive bids on scattered lots slightly higher than the City's bid, but on the entire tract the City of Port Tampa was the highest bidder. Statement was made that the other bidders were non-owners at the time the land vested in the State under Chapter 18296; that the City had agreed to deed to the United States Air Base approximately one-tenth of the lots to become a part of that project, and the remaining lots would be used to liquidate indebtedness of the City and in sales to private individuals.

The Attorney General desired time to look into the manner of offering these lots for sale, whereupon, action was deferred pending investigation and report by the Attorney General.

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#### CONSIDERATION OF TRUSTEES I. I. FUND MATTERS

Mr. Bayless informed the board that pursuant to action recently taken with reference to lease in favor of W. E. Kirchoff for taking logs from the Suwannee River and tributaries, and subsequent protest from Cummer Sons Cypress Company, he had received report from S. S. Savage. Report read and ordered filed.

Messrs. A. B. Peterson and H. L. Nelson, representing W. E. Kirchoff, were present and informed the Trustees that they had purchased equipment for operating in the creeks and bayous when protest from the Cummer Company came in and they were stopped from taking logs; that it required much larger machinery to operate in the River, at twice the cost, and their equipment now in use would not suffice in the river proper. Information was given that old time citizens of that section had reported that the majority of the logs had been in the creeks for at least 60 years; also that Cummer Sons Cypress Company had apparently abandoned operations in that area until lease was executed in favor of Mr. Kirchoff.

Mr. Bayless reported that Cummer Sons Cypress Company stated they would make no claim to logs in the River, but only those in the Creeks and Bayous.

It was agreed to withhold action on the subject until Mr. Kirchoff could be contacted for his views in the matter.

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,

Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 1, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the State Treasurer at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Bayless presented offer of \$100 from Booth & Dickinson, St. Petersburg, on behalf of Paul Hornlein, for the purchase of 0.95 acres of submerged land adjacent to upland ownership on Big Bayou, Section 31, Township 31 South, Range 17 East, Pinellas County.

Motion was made, seconded and adopted to decline offer of \$100 from Mr. Hornlein, the Trustees agreeing that the land should be sold for not less than \$300, plus cost of advertising.

Offer of \$35 an acre was presented from Allen C. Grazier, on behalf of clients, for 123.38 acres of submerged land in Section 7, Township 32 South, Range 17 East, Pinellas County. Statement was made that this land was sold to Mr. Grazier's clients in 1926, but under adjustment in 1936 was reconveyed to the State.

Motion was made, seconded and adopted to defer action on this application.

Offer of Ten Cents an acre was presented from T. W. Conely, Jr., on behalf of Jesse Hunter, for one year grazing lease on 146.46 acres of State land in Sections 12 and 13, Township 37 South, Range 33 East, Okeechobee County.

Motion was made, seconded and adopted to decline offer of 10 cents an acre for the lease, but it was agreed



that the tract be leased for a period of one year upon payment of fifteen cents (15c) an acre.

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Application was presented from G. A. Hubbell, Belle Glade, offering \$25 an acre for Section 31, Township 43 South, Range 39 East, Palm Beach County, located on the north side of Cross Canal about six miles west of Twenty-Mile Bend.

Application was deferred pending investigation by Mr. Bayless.

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Mr. Bayless presented application from Russell O. Morrow, Lake Worth, representing South Lake Worth Inlet District, to purchase for public purposes 15 acres of sovereignty land adjacent to Lot 4, Section 15, Township 45 South, Range 43 East, Palm Beach County. Information was furnished that the District desired to use the area for depositing spoil material to be dredged from the channel in an effort to keep it open.

Objection was presented from R. E. McNeill, Jr., West Palm Beach, requesting that sale be deferred until he had opportunity to ascertain rights of his client in the area.

Motion was made, seconded and adopted to decline to sell the land. However, it was agreed to grant permission to South Lake Worth Inlet District for depositing spoil material on the area applied for upon payment of \$10 annually. The Land Clerk was directed to notify Mr. McNeill of action taken.

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Mr. Bayless reported that Dade County, through its attorney, Mr. Fred Cason, was desirous of getting deed to the 64 acre tract of land on the south end of Virginia Key, for which an offer of \$100 an acre was made—the land to be used for public purposes only. Mr. Cason requested that deed be drawn and held pending receipt of release from John M. Sutton.

Motion was made, seconded and adopted that upon receipt of release from John M. Sutton, waiving his right to purchase the land, that deed be executed in favor of Dade County—payment at the rate of \$100 an acre to be made upon delivery of deed.

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Letter was submitted from United States Soil Conservation Service—R. C. Brent, Jr., in Charge of Land Acquisition, Withlacoochee Coterminus Project—requesting that the Trustees grant option to purchase State land in Citrus County at a price of \$800.

Mr. Bayless reported that several months ago the Field Agent appraised this land at \$1066.75, which amount the Trustees agreed to accept. Mr. Brent now asks for reduction to \$800 and an option based on that figure.

Motion was made, seconded and adopted that the Trustees decline to accept \$800 for the land, but it was agreed that option be executed in favor of the United States for the purchase of the

W $\frac{1}{2}$  of E $\frac{1}{2}$  of Section 15, Township 19 South,  
Range 18 East, Citrus County, Florida,  
based on a price of \$1067.75—the United States to pay cost of abstract.

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Mr. Elliot submitted offer of \$14.90 from O'Dell Kominers, Miami, for J. B. McNeill, to purchase land under Everglades Tax Certificate No. 3474, Sale of August 5, 1929, covering the

SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 33, Township 56  
South, Range 39 East, and  
Certificate No. 3475, Sale of August 5, 1929, covering the

E $\frac{1}{2}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 33, Township 56  
South, Range 39 East,  
in Dade County, Florida. Information was furnished that applicant is not the former owner but holds all outstanding state and county tax sale certificates on the property.

The Trustees declined to sell the land at the price offered, but motion was made, seconded and adopted to accept \$25 for the two tracts covered by Certificates No. 3474 and No. 3475.

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#### CONSIDERATION OF LAND UNDER CHAPTER 18296, ACTS OF 1937

Notice was presented to the Trustees that suit had been instituted by the United States in the Southern District of Florida, Tampa Division, for condemnation of lands in the proposed Naval Air Base at Port Tampa City. The matter was referred to the Attorney General.

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The Trustees recessed to meet at 3:30 o'clock P. M.

AFTERNOON SESSION  
3:30 o'Clock.

The Trustees met pursuant to recessed meeting of the morning with the same members present.

Discussion was had with reference to reservations in deeds conveying land under Chapter 18296, through which State Highways are now located.

Upon motion, it was seconded and adopted that upon resumption of sales all advertisements would contain notice that the Trustees reserved right of way through any land across which there was a designated State Highway, and that all deeds would carry a similar reservation.

The Attorney General was requested to prepare proper reservation to be included in notice and in deeds.

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Motion was made, seconded and adopted that in future the Clerks of the Circuit Courts, as agents for the Trustees, be directed to allow not less than three weeks, nor longer than thirty days, between date of advertisement and receiving bids. Also that the Clerks mail notices to former owners, or persons last paying taxes on lands, at least fifteen days prior to date of sale.

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Consideration was given to bids received by the Trustees for lands advertised for sale under Section 9 of Chapter 18296, in the following Counties:

Manatee and St. Lucie.

Bids were accepted, rejected or held for further consideration as shown by the office records of the Trustees with disposition to be made of each as indicated by said records.

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Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,

Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
May 2, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the State Treasurer at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

Trustees Minutes of April 23rd, 24th, 29th, and 30th, 1940, approved.

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CONSIDERATION OF LANDS UNDER CHAPTER  
18296, ACTS 1937

Consideration was given to bids received by the Trustees for lands advertised for sale under Section 9, Chapter 18296, Acts of 1937, in the following Counties and on dates given:

Marion County—Sale of February 5, 1940

Sale of February 19, 1940

Bids were accepted, rejected, or held for further consideration as shown by the office records of the Trustees, with disposition to be made of each as indicated by said reports.

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Motion was made seconded and adopted that the Secretary employ two additional Clerks to assist in the work in connection with the sale of lands under Chapter 18296; salaries to be \$150 and \$100 each per month; also authority to purchase equipment necessary for the additional employees.

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Upon motion seconded and adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
May 14, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Trustees minutes of May 1st and 2nd, 1940, presented and approved.



## CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. J. H. Peeples and Mr. Clayton C. Townes requested that the Trustees accept bid made by them for subdivision lots west of the towns of Venus, Avon Park and Sebring, offer of Mr. Peeples being \$235.40 for 535 acres, and that of Mr. Townes being \$564.41 for 2,255 acres. It was represented that the lots were subdivisions laid out during the boom, wild, unimproved and suitable only for grazing pasture. Applicants stated that these tracts adjoined their holdings and were needed to block up their pastures. Former owners were real estate promoters and purchasers from them had long since abandoned the property as worthless.

Letter from the Clerk of the Court stated that the land had been advertised, bidding held and the above bids were the only ones received. He recommended that sales be made to Peeples and Townes.

Motion was made, seconded and adopted that action be deferred pending return of the Governor.

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### TRUSTEES MATTERS PROPER

The Secretary submitted application from A. R. Richardson, on behalf of Ellis F. Altman, West Palm Beach, to purchase the equity of the State in land covered by Drainage Tax Certificates 2623, 2626 and 2680, Sale of 1929, covering three parcels of land located in Sections 15 and 16, Township 44 South, Range 43 East, Palm Beach County. The State's equity amounts to \$10.80 and applicant offers \$105.00 for the three parcels.

Motion was made, seconded and adopted that the Trustees accept offer of \$105 for the three tracts of land covered by Drainage Tax Certificates 2623, 2626 and 2680, Sale of 1929, and deed was ordered issued upon payment of the amount bid.

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The Secretary presented request from Williams & Dart, Attorneys of Sarasota, representing Mrs. Pauline B. Gaines, for release of reservations in Deed No. 58-14 from the Trustees dated December 19, 1935, covering Lots 6 and 8, Block H, Bungalow Hill, Sarasota.

Motion was made, seconded and adopted that the Trustees execute deed releasing the reservations requested upon payment of \$5.

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Mr. Bayless submitted offer of \$500 an acre from Neil A. Campbell for 2.9 acres of submerged land in Lake

Worth, Palm Beach County, being a small tract of submerged land between two parcels sold by the Trustees to C. W. Bingham and now owned by Mr. Campbell.

Motion was made, seconded and adopted to accept offer from Mr. Campbell of \$500 an acre, plus cost of advertising, for 2.9 acres of submerged land located in Section 34, Township 43 South, Range 43 East, Palm Beach County. The land was ordered advertised as required by law.

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Motion was made, seconded and adopted to decline offer of \$18 an acre from C. A. Bailey for the N $\frac{1}{2}$  of Section 7, Township 42 South, Range 36 East, Palm Beach County, located approximately 4 $\frac{1}{2}$  miles east of Pahokee, the Trustees being of the opinion that the offer was insufficient.

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Mr. Bayless submitted offer from W. Martin Burkett, Wewahatchka, of 1 $\frac{1}{2}$  cents each for dead cypress posts to be removed from the Dead Lakes in Gulf County, such posts to range from 6 to 12 feet.

Mr. Burkett was present and informed the Trustees that these posts were being removed from the lake without permission and sold for use in tobacco fields.

Upon discussion, motion was made, seconded and adopted that the Trustees issue lease for a period of two years, allowing removal of dead cypress posts from Dead Lakes upon payment at the rate of 1 $\frac{1}{2}$  cents each for posts six feet long with the price scaled up to 3 $\frac{1}{2}$  cents each for posts up to 12 feet long. Mr. Bayless was requested to prepare the necessary lease.

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Application was submitted from Allen C. Grazier, St. Petersburg, offering \$35 an acre for 123.37 acres of submerged land in Section 7, Township 32 South, Range 17 East, Pinellas County. Statement was made that this tract of land was included in sale to Mr. Grazier's company in 1926, but through adjustment in 1936 was re-conveyed to the State.

Motion was made, seconded and adopted to defer action on application of Mr. Grazier until the full membership could be present.

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Offer of \$1000 an acre was submitted from H. M. Clark of Miami, for Lot 1, Section 9, Township 54 South, Range 42 East—1.82 acres in Dade County, the land being located on the north end of Virginia Key.

Motion was made, seconded and adopted to defer action on application of Mr. Clark, pending investigation of the tract.

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The Trustees declined offer of \$175 from Charles B. Cleveland, Miami Beach, on behalf of client John L. Patten, for 1.6 acres of submerged land adjacent to upland property in the vicinity of Dumfounding Bay, Dade County.

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Action was deferred on petition from Tom Conely with reference to proposal covering land in the Eagle Bay section.

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Application was presented from Sherrill Dillard, Emporia, Fla., offering \$160 for Lots 6 and 11, Section 12, Township 15 South, Range 27 East, Volusia County, containing 80 acres.

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Report from Mr. Savage, Field Agent, estimates the land at \$3 an acre with information that there are about 45 units of black pine on the tract.

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Motion was made, seconded and adopted to decline offer from Mr. Dillard.

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Offer of \$100 an acre was submitted from W. Gerry Miller, Ft. Lauderdale, on behalf of Rachel T. Beaty and Roberta S. B. Horton, for the purchase of submerged land in Sections 12 and 13, Township 50 South, Range 42 East, containing 16.61 acres in Broward County.

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Motion was made, seconded and adopted to decline offer from clients of Mr. Miller, but it was agreeable to sell the land at a price of \$150 an acre plus cost of advertising.

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Motion was made, seconded and adopted to decline request from R. R. Saunders that Oil lease No. 71 in favor of Clark & Driggers be further amended, allowing 18 months from date of lease within which to commence drilling of well required under terms of lease.

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Upon request from Carl Stine, Miami, that the Trustees make no charge for lease to Sea Scout Ship No. 19, Boy Scouts of America, covering a spoil area in Biscayne Bay, motion was made, seconded and adopted that the Trustees reconsider action taken April 23rd and reduce price of lease from \$25 to \$10 for one year lease. The areas applied for were described as being in SE $\frac{1}{4}$  of

SE $\frac{1}{4}$  of Section 30, Township 53 South, Range 42 East, Dade County.

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Offer of \$550 was submitted from Fritz Stein, Belle-glade, for the purchase of 5.4 acres of lake bottom land located in Section 26, Township 43 South, Range 36 East, Palm Beach, adjacent to property now owned by him between Torry Island road on the north and the Hills-boro Canal on the South.

Motion was made, seconded and adopted that action be deferred on application from Mr. Stein pending investigation by the Land Department as to whether or not a lease would not be satisfactory rather than sale.

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Motion was made, seconded and adopted to accept offer of \$5 an acre from Cecil A. Tucker of Christmas, Florida, to purchase the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 24, Township 22 South, Range 33 East, Orange County, located about 25 miles from Orlando.

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Mr. Bayless reported that with reference to \$2668 claim the Trustees have against Tidewater Red Cypress Company, Mr. J. S. Wight, one of the principals in the company, suggested that the claim be worked out by the Florida State Hospital taking over equipment recently purchased, consisting of one International Tractor costing \$4750 and International Truck costing \$2200—the Truck being free of any liens and the Tractor having approximately \$2000 against it.

Mr. Dan D'Alemberte of the State Hospital stated that the institution could use the equipment to advantage and that it would be a good buy as both pieces were practically new.

Mr. Martin Burket, of Tidewater Red Cypress Company, was present and advised that a trustee would be appointed for the Company on May 23rd and he believed there was ample lumber on the yard to take care of the Trustees' claim.

Upon discussion, motion was made, seconded and adopted that no action be taken at this time, but that the matter be referred to the Attorney General for investigation and report.

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Mr. LeSueur Gaulden of West Palm Beach, on behalf of client—Amphitrite Hotel of Ft. Lauderdale, submitted an offer of \$1000 annually for lease of a space 100X600 feet in the river bottom of what is known as



New River Sound. Mr. Gaulden stated that his clients had operated a floating hotel since 1935; that the City of Ft. Lauderdale had been collecting a rental of \$1000 yearly for the space in the river occupied by the boat, but under a new city administration the Hotel company had been notified to vacate the location by June 1st. Pictures were submitted, showing how the location had been beautified by his clients.

Information was furnished that under permit from the State Road Department the City of Ft. Lauderdale was using Las Olas Boulevard right of way for other than public purposes.

Motion was made, seconded and adopted that the matter be referred to Mr. Bayless for investigation and report as soon as possible, and Mr. Gaulden was assured that the matter would be considered as soon as report could be made by the Land Clerk.

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The following expense account was credited on \$200 note of F. E. Bayless:

Expense account of F. E. Bayless, May 2nd to 7th, incl. Mileage, Tallahassee—Tampa—Ft. Myers—Miami and return—1142 miles at 5c .....	\$57.10
Credit on Note for \$200—payment for Buick car, leaving balance due .....	\$54.10

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Financial Statement for the month of April is as follows:

#### FINANCIAL STATEMENT FOR APRIL, 1940 RECEIPTS

Various land sales .....	\$11,940.90
Land sales under Chapter 14717, Acts 1931.....	95.49
Farm leases .....	945.00
Sand, shell and gravel leases .....	591.17
Grazing leases .....	56.25
Land leases .....	82.50
Reimbursement of advertising .....	12.00
Award in condemnation proceedings .....	29.80
Sale of minutes .....	13.00
Quit-claim deed .....	3.75

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Total receipts during month .....\$ 13,769.86

Balance on hand April 1, 1940 .....	108,300.93
	<u>\$122,070.79</u>
Less disbursements .....	6,039.46
	<u>Balance April 30, 1940 .....</u>
	\$116,031.33

## BALANCES IN BANKS APRIL 30, 1940

Atlantic National Bank, Jackson- ville, Fla. ....	\$ 87,468.22
Florida National Bank, Jackson- ville, Fla. ....	17,821.31
The Capital City Bank, Tallahas- see, Fla. ....	9,741.80
	<u>Total in Banks .....</u>
	\$115,031.33
Cash on hand .....	1,000.00
	<u>Total cash on hand and in banks .....</u>
	\$116,031.33

## DISBURSEMENTS

Date	No.	In Favor of	Amount
Apr. 10, 1940	11676	F. E. Bayless .....	\$ 21.87
	11677	M. C. McIntosh .....	24.75
	11678	S. S. Savage .....	379.12
	11679	W. B. Granger .....	29.50
	11680	Clearwater Publishing Co. ....	12.00
	11681	The Star .....	45.00
	11682	The Miami Herald .....	34.30
	11683	Miami Daily News, Inc .....	10.50
	11684	Frank Stoutamire, Sheriff .....	15.05
	11685	Guyte P. McCord, Clerk Su- preme Court .....	15.00
	11686	Paul V. Lang, Clerk Circuit Court .....	1.85
	11687	James A. Ellis Co. ....	1.00
	11688	Capital Office Equipment Co. ....	3.00
	11689	Railway Express Agency .....	1.22
	11690	Western Union Telegraph Co. ....	9.69
	11691	Postal Telegraph-Cable Co. ....	4.79
	11692	Southeastern Telephone Co. ....	13.10
	11693	Everglades Fire Control Dist. ....	3,000.00
	11694	John L. Graham .....	2.70
	11695	E. R. Bennett, Clerk .....	1,140.02
Apr. 30,	11696	F. C. Elliot .....	400.00
	11697	F. E. Bayless .....	275.00
	11698	M. O. Barco .....	175.00
	11699	Jentye Dedge .....	175.00

11700	S. S. Savage .....	200.00
11701	H. L. Shearer .....	50.00
Total disbursements for April, 1940.....		<u>\$6,039.46</u>

TRUSTEES OF THE INTERNAL IMPROVEMENT  
FUND UNDER CHAPTER 18296

Balance April 1, 1940 .....	\$ 8,758.91
Receipts during month—land sales .....	6,309.97
	<u>\$14,968.88</u>
Disbursements .....	3,700.16
	<u>\$11,268.72</u>

BALANCES IN BANKS APRIL 30, 1940

Atlantic National Bank, Jackson- ville, Fla. ....	\$10,264.04
The Capital City Bank, Tallahassee, Fla. ....	1,004.68
	<u>\$11,268.72</u>

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 21, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Fred W. Cason, Miami, representing Dade County, came before the Trustees and stated that the County had

secured from John M. Sutton release of his interest in approximately 65 acres of land on Virginia Key, recently applied for by Dade County and the City of Miami to be used in connection with the beach and recreation project and for enlarging the harbor facilities of the City of Miami. The waiver or release executed by Mr. Sutton was conditioned upon purchaser of the land taking over \$6400 of credits which Sutton holds with the Trustees to be used in the purchase of land. Mr. Cason stated that the City has agreed to purchase these credits and the question now is whether or not the Trustees will allow assignment of the Sutton credits.

Review of the origin of the credits held by Mr. Sutton was presented and discussion had as to advisability of allowing such assignment as suggested. Comptroller Lee was of the opinion that the Trustees should not grant the request. Other members present were in favor of allowing the assignment, with the understanding that when sales are made on which credits will apply, such land will be sold at a price in line with the value thereof.

Mr. Knott moved that the Trustees agree to accept at par credits assigned to the City of Miami by John M. Sutton, to be applied by the City in the purchase of lands upon a reasonable price to be agreed upon. That the Attorney General be requested to work out with Mr. Cason the language for accomplishing the above.

Motion seconded by Mr. Mayo and vote adopted, Comptroller Lee voting No.

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Mr. Robert Anderson of Miami, representing Barbara Danielson and Marian D. McCormick, requested that the Trustees reconsider action taken at a recent meeting, fixing a price of \$500 an acre for filled and bulkheaded areas adjacent to upland property of applicants, submitting that his clients thought they owned the land after it had been bulkheaded and filled.

Motion was made, seconded and adopted to defer action at this time, consideration to be given at an early date.

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Mr. Franklin West of Milton, representing W. W. Harrison, advised the Trustees that Diatomite lease in favor of C. F. Jernigan and R. A. McGeachy had been assigned to Mr. Harrison and he was requesting that new lease be executed in his favor with the following changes:

Provision for \$50,000 plant be reduced to \$15,000;



Slight decrease in royalty payments and change in amount per ton with dry measure used instead of wet;

Same bond be continued and lessee required to pay only \$400 as defaulted payments under old lease;

All papers to be sent to a Pensacola Bank to be taken up by Mr. Harrison within 20 days.

The Governor suggested that a committee be appointed to work out details and report back to the Trustees in the afternoon, which was agreed to. Whereupon, the Governor appointed Messrs. Knott, Gibbs and Elliot as a committee to report on proposed lease.

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Trustees recessed to meet at Four o'clock P. M.

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4 o'Clock P. M.

The Trustees met pursuant to recessed meeting of the morning with all members present except Comptroller Lee.

The Attorney General reported on proposed sale of Virginia Key property to Dade County and acceptance of transfer of credits from John M. Sutton.

Upon discussion, the following resolution offered by Treasurer Knott, seconded by Commissioner Mayo, was duly adopted:

#### RESOLUTION

WHEREAS, by resolution of this Board adopted April 23, 1931, and found at pages 80 and 81 of Volume XIX of the Minutes of this Board, a credit of \$40,000 was given to Robert G. Holgate and his successors and associates, to be used in payment for oil leases or in the purchase of other lands owned by this Board, and

WHEREAS, this Board thereafter on March 1, 1934, recognized John M. Sutton as being entitled to the use of \$13,000 of the aforesaid land credits, as shown at page 663 of Volume XIX of the Minutes of this Board, and

WHEREAS, form of proposed assignment from John M. Sutton to the City of Miami, Florida, of \$6,430.00 of said Sutton's interest in said land credits, has been exhibited to this Board,

NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA:

That in the event the City of Miami acquires the assignment of \$6,430.00 of the aforesaid credits from John M. Sutton, this Board will recognize such assignment in the hands of the City of Miami and accept such credits at par in any subsequent purchase of land from this Board to said City, provided such purchase and sale is made at the fair market value of such land to be agreed upon by this Board and said City.

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The Committee appointed by the Governor at the morning meeting reported with reference to application from W. W. Harrison for Diatomite lease on Santa Rosa County land, and recommended that lease be granted with a few changes, among which were the following:

Royalty of 1 per cent of gross revenue f. o. b. the plant, exclusive of bags and containers, for all material taken under the lease for a period of ten years and if renewed to pay 2 per cent of gross revenue;

Payments to be not less than \$25 each and every month for 1st year;

Payments to be not less than \$50 each and every month for 2nd year;

Payments to be not less than \$125 each and every month for 3rd year;

Payments to be not less than \$250 each and every month during the remaining life of the lease.

\$15,000 plant and equipment to be provided and in operation within three years from date of lease;

Bond in amount of \$1000 to be deposited with Trustees;

Lessee shall have right or option at expiration of 10-year period to renew lease for an additional period of 10 years.

Upon discussion of the proposed changes, motion was made, seconded and adopted to grant lease as recommended by the Committee embodying the changes suggested, executed instrument to be mailed to First Bank & Trust Company, Pensacola, Florida, with instructions that acceptance be within twenty (20) days.

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Mr. A. R. Richardson, Tallahassee, submitted offer of \$105 from Ellis F. Altman for three parcels of land located in Sections 15 and 16, Township 44 South, Range 43 East, Palm Beach County, which land is covered by Everglades Tax certificates 2623, 2676 and 2680, Sale

of August 5, 1929. Applicant was former owner of the land.

Motion was made, seconded and adopted to accept offer from Mr. Altman for the purchase of the above described parcels.

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Action was deferred on application from L. J. Thorpe offering 16 cents per tie for cypress ties on State land in Collier County.

Upon application of Hugh Lester, Ft. Lauderdale, with offer of \$100 for an island in New River, the following Notice was advertised in the Ft. Lauderdale News on April 9th, 21st, May 3rd, 10th and 17th, 1940:

"Tallahassee, Florida, April 15, 1940

### N O T I C E

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, May 21st, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in Broward County, Florida:

An Island in South Fork of New River, lying within the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 16, Township 50 South, Range 42 East, Broward County, Florida, the approximate boundary of which is as follows:

Commence at the  $\frac{1}{4}$  corner on the West boundary of said Section 16; thence along the  $\frac{1}{4}$  section line N. 88° 40' 40" East 833.6 feet; thence South 36° 19' 20" East 100 feet to the point of beginning of this description; thence North 87° 51' 40" East, 81 feet; thence South 4° 51' 20" East, 69.5 feet; thence South 16° 03' 40" West, 47.8 feet; thence North 80° 55' 20" West 69.8 feet; thence South 72° 59' 40" West 56.6 feet; thence North 68° 11' 20" West 25.9 feet; thence North 20° 58' 40" East 84.3 feet; thence North 55° 48' 40" East 52.2 feet to the point of beginning. Containing 0.36 acres, more or less.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees Internal Improvement Fund.

FRED P. CONE, Governor.

Attest: F. C. Elliot, Secretary.

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The Trustees having received objection from C. H. McCune, on behalf of clients, claiming to own land adjoining the submerged area, motion was made, seconded and adopted to sustain objection and make no sale at this time.

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Motion was made, seconded and adopted to release oil and mineral reservations contained in Deed No. 17730 from the State to C. A. Shive, the land being described as Lot 16 "A", Section 18, Township 42 South, Range 37 East, containing 34/100 acres in Palm Beach County. Notice to be sent to C. A. Bailey, who represented Mr. Shive.

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The Trustees agreed to grant One-year grazing lease to Ralph Hendry, LaBelle, covering Sections 6, 7, 18 and 20, Township 46 South, Range 34 East, Hendry County, upon payment of ten cents an acre.

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Application was received from James Messer, Tallahassee, on behalf of Atlantic Coast Line Railroad, offering \$10 for reclaimed lake bottom land between the meander and the sea wall on Lake Tohopekaliga in Kissimmee. The Land Clerk reported that the land was adjacent to property recently conveyed to Mrs. Pat Johnson.

Motion was made, seconded and adopted that the Trustees sell the land applied for by the Railroad company, containing 4.13 acres, at a price of \$10.

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Motion was made, seconded and adopted to decline offer of \$1750 an acre from Walter R. Clark of Fort Lauderdale, for that portion of Section 4, Township 50 South, Range 40 East, lying south of North New River Canal. The land lies about 13 miles West of Ft. Lauderdale in Broward County.

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Motion was made, seconded and carried to decline offer of ten cents an acre annually from J. R. Ramer for five year grazing lease on Lots 4 and 5, Section 2; Lot 13, Section 10; Portion of Lot 1, Section 15, all in Township 35 South, Range 30 East—Highlands county.



Upon application of R. E. Burchard, LaBelle, the Trustees agreed to accept \$675.00 for pine timber and cypress poles located on Section 5, Township 46 South, Range 31 East, Hendry County, based on estimate made by S. S. Savage that the land would yield 87,400 feet of pine and 300 cypress poles.

Upon motion seconded and adopted, the Trustees declined offer of \$200 from D. T. Connell, Canal Point, to purchase land lying between Conners Highway right of way and Florida East Coast Railway right of way and between the railroad and the United States Levee, all located in Section 27, Township 41 South, Range 37 South, Palm Beach County.

The Trustees granted easement in favor of the United States over two tracts of land described as Parcel "E" and Parcel "10" to be used in connection with a ramp connecting Conners Highway with United States Levee at a point approximately 650 feet north of West Palm Beach Canal. The ramp is being requested by residents of Canal Point and Pahokee to give access to the top of the Levee.

The following bills amounting to \$3,719.75 were approved and checks ordered drawn in payment therefor:

H. E. Carter, Asst. Attorney General, Expense account .....	\$ 68.28
F. E. Bayless, Land Clerk—Expense account .....	23.67
M. C. McIntosh, Asst. Attorney General—Expense account .....	58.35
S. S. Savage, Field Agent, Expense account .....	219.89
W. B. Granger, Expense account .....	28.50
Burroughs Adding Machine Co., Jacksonville, Fla. ....	1.00
The Clearwater Publishing Co., Clearwater, Fla. ....	16.50
J. R. Peacock, C. C. C., Sarasota, Florida .....	1.50
E. B. Leatherman, C. C. C., Miami, Fla. ....	4.00
Rose Printing Co., Tallahassee, Fla. ....	281.60
Capital Office Equipment Co., Tallahassee, Fla. ....	2.75
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	.38
Western Union Telegraph Co., Tallahassee, Fla. ....	4.64
Southeastern Telephone Co., Tallahassee, Fla. ....	5.50
American Oil Company, Jacksonville, Fla. ....	3.19
Everglades Fire Control District, Lake Worth, Fla. ....	3,000.00
	<hr/>
	\$3,719.75

CONSIDERATION OF LANDS UNDER CHAPTER  
18296, ACTS OF 1937

The Secretary reported that check in amount of \$148.20 had been received from the United States District Court, Southern District of Florida, Case No. 13, Ocala Civil, being an award by the jury in condemnation suit covering 259.23 acres of land in Marion County. The check was ordered deposited to the Trustees account under chapter 18296.

The following bills amounting to \$445.43 were approved and ordered paid from funds to the credit of the Trustees, account of Chapter 18296:

Commercial Office Supply Co., Tallahassee, Fla.....	\$ 27.60
Guyte P. McCord, Clerk Supreme Court .....	27.30
Paul V. Lang, Clerk Circuit Court Leon County .....	6.70
Capital Office Equipment Co., Inc. ....	83.15
Christie Hall Business Machines, Tallahassee, Fla. ....	93.56
Capital City Publishing Co., Tallahassee, Fla. ....	172.90
Railway Express Agency, Tallahassee, Fla. ....	2.22
F. C. Elliot, Tallahassee, Fla., Expense account .....	7.00
Postmaster, Tallahassee, Fla. ....	25.00
	\$445.43

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 22, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the State Treasurer at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

Minutes of the Trustees dated May 14th and 21st, 1940 presented and approved.

CONSIDERATION OF LANDS UNDER CHAPTER  
18296, ACTS OF 1937

Motion was made, seconded and adopted that Mrs. M. O. Barco and Jentye Dedge, employees in the Secretary's office, be paid \$25 each per month from funds under Chapter 18296, effective May 1, 1940.

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Mr. and Mrs. C. L. Saunders came before the board with reference to bid of \$300 which they made for land in Putnam County and which they have been leasing from J. W. Weeks and wife and Ernest Weeks and wife.

Motion was made, seconded and adopted to accept bid of \$300 from Mr. and Mrs. Saunders for the land described, that being the highest and best bid submitted.

Mr. and Mrs. Saunders were advised that the Clerk of the Circuit Court of Putnam County, as agent for the Trustees, would be notified of action taken and deed would be executed and forwarded as soon as possible.

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Discussion was had with reference to recent opinion of the Supreme Court, holding that lands under Chapter 18296 would pass title to purchasers subject to municipal liens, and the effect of such ruling on bids already accepted by the Trustees.

The Secretary reported that he had made an analysis of the Murphy Act lands which would be affected by municipal liens, and taking the State as a whole from 90 to 95 per cent of these lands would have municipal liens, with 5 to 10 per cent to be classed under acreage. It was recommended that since such a small per cent would be classed as acreage that the Trustees accept all bids of 25 per cent of the 1932 assessed value, or greater.

Discussion was had on the subject, but no definite action taken.

Consideration was given to cases where bids had been accepted but deeds not delivered and it was decided that in such cases grantees be allowed to accept deed to land within municipalities and subdivisions, or they might decline to accept deed and have amount of bid refunded. It was agreed that the Trustees had no authority to refund cost of advertising and Agents' fees. Such rule to also apply in cases where bid had been deemed insufficient and the bidder given opportunity to increase the bid if desired.

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D. C. Smith of Ft. Pierce, Florida, appeared before the Trustees with reference to land in a colored cemetery

at Ft. Pierce, which came to the State under Chapter 18296, the 1932 valuation of which was placed at \$300. Information was given that prominent colored people in that locality had organized the cemetery and desired to know if the Trustees would consider a lower base bid.

Mr. Smith was advised that the Trustees would take the request under consideration as soon as possible.

Mr. Carl Brorein of Tampa, representing Peninsula Telephone Company appeared before the Trustees and requested that the Trustees' agent in Sarasota County be allowed to accept application to advertise and receive bids on certain parcels of land at Venice desired as a location for a telephone exchange. It was stated that the present exchange is manually operated and the Company desires to put in up-to-date equipment which will necessitate more space. Mr. Brorein agreed to take deed subject to municipal liens.

Motion was made, seconded and adopted to waive the rules and allow Mr. Brorein to submit application to the Clerk of the Circuit Court of Sarasota County, as agent for the Trustees, and to authorize the Clerk to advertise the lots and accept bids thereon.

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The Secretary suggested that when sales are resumed the Trustees require three weeks between date of advertisement and date of sale, in order to enable Agents sufficient time to get letters out to former owners or tax payers and receive replies prior to sale.

The Trustees were agreeable to the change and it was so ordered.

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The Attorney General had been requested to submit to the Governor the bid of the City of Port Tampa, for purchase of City lots, heretofore presented to the board, as well as bids of J. H. Peeples and Clayton C. Townes for Highlands County land located near Venus. Report was submitted that the Governor approved acceptance of the three bids.

Motion was made seconded and adopted to accept the following bids:

City of Port Tampa for Hillsborough County land	\$1,834.00
J. H. Peeples for Highlands County land	235.40
C. C. Townes for Highlands Hammock Company, Highlands County land	724.41

all as set forth on reports from the respective counties.



The Trustees gave consideration to other bids received by them for lands in the following counties:

Manatee  
Putnam  
Sumter

Bids as reported by the respective Clerks were accepted, rejected, or held for further consideration, as shown by the office records with disposition to be made of each as indicated therein.

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
May 23, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the State Treasurer at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Elliot reported that he had mailed out on the 20th instant additional instructions to the Clerks of the Circuit Courts, as agents of the Trustees, made necessary by opinion of the Supreme Court dated May 17th, having reference to lien of municipal taxes, giving information as to preparation and delivery of deeds and amended bids. Copy of instruction was presented and approved by the Trustees as their action.

The Trustees authorized the acceptance of all former owner bids where such bid was not less than one-fourth of the amount of 1932 assessed value, or the amount of all taxes due, where all proceedings were regular and no protest filed to such sale. The Trustees directed that

this action apply to all counties where lists of certificates had been furnished the Trustees, except in the counties of Palm Beach and Putnam, these two counties to have special consideration at an early date.

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Consideration was given to certain bids received on land advertised for sale under Section 9 of Chapter 18296, Acts of 1937, in Palm Beach County.

Bids as reported were accepted, rejected or held for further consideration, as shown by the office records of the Trustees with disposition to be made of each as indicated by said records.

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Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,

Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
May 24, 1940.

The Trustees of the Internal Improvement Fund met on this date in the offices of the State Treasurer at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Mr. Fred W. Cason, Attorney for Dade County, came before the Trustees with reference to sale of Virginia Key land, and turned over to the board a letter from John M. Sutton waiving and releasing any and all interest he might have in lands on Virginia Key applied for by Dade County. All papers and steps necessary to closing the transaction having been completed, the Trustees delivered to Mr. Cason, on behalf of Dade County, Deed No. 18556 conveying 64.30 acres of land in Sections 17, 20 and 21, Township 54 South, Range 42 East, Dade County, whereupon Mr. Cason deposited with the Trustees check in amount of \$6430 in payment for the land.

The following bills amounting to \$1,306.30 were approved and checks ordered issued in payment therefor:

F. C. Elliot, Engineer and Secretary—May salary .....	\$ 400.00
F. E. Bayless, Land Clerk, May salary .....	275.00
M. O. Barco, Clerk and Stenographer, May salary .....	175.00
Jentye Dedge, Clerk and Stenographer, May salary .....	175.00
S. S. Savage, Field Agent, May salary .....	200.00
H. L. Shearer, Land Office—Part time Clerk .....	50.00
M. C. McIntosh, Asst. Attorney General, Tallahassee .....	31.30
	<hr/>
	\$1,306.30

#### BILLS UNDER CHAPTER 18296, ACTS 1937

The following bills amounting to \$259.67 were approved and checks ordered drawn in payment thereof:

Frank C. Pelot, Tallahassee, Fla.—Salary .....	\$125.80
Helen Phillips, Tallahassee, Fla.—Salary .....	83.37
M. O. Barco, Tallahassee, Fla.—Salary part time .....	25.00
Jentye Dedge, Tallahassee, Fla.—Salary part time .....	25.00
	<hr/>
	\$259.67

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
June 4, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Mr. Bayless presented request of John L. Patten for purchase of submerged lands in Dade County, in Dum-

foundling Bay. Offer of from \$200 to \$250 was made for the parcel, containing  $1\frac{2}{3}$  acres.

Upon discussion it was agreed to accept \$250 an acre for the land applied for. Whereupon, Mr. Bill Comer, representing Mr. Patten, stated that he would get in touch with his client by telephone and report the action of the Trustees; that he felt sure he would accept the terms, and report of the outcome would be made to Mr. Bayless.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
June 5, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

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#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Request was presented from the City of Hialeah that the Agent of the Trustees be permitted to accept application to advertise for sale under Chapter 18296, certain property in Hialeah which is desired to be used for park purposes.

The Trustees declined to make exception in the present ruling—that all sales be temporarily suspended—and agreed that the City of Hialeah must await resumption of sales before application could be received for sale of the property desired.

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Discussion was had with reference to refund to bidders who might desire to withdraw their bid on account of Supreme Court ruling as to city liens.



Attorney General Gibbs stated that in his opinion, if any bidder desired to withdraw his bid money he should be allowed to do so but there would be no way for costs and Clerk's fees to be refunded. Also that the Trustees not insist on the 60% bid from non-owners, but that the 25%, or the highest bid above that amount, be accepted, where the bid was regular and no protests. This to apply to all property on which bids had been made, with the exception of Palm Beach and Putnam counties where protests have been made as to procedure of sales held by the Clerks.

It was agreed that all protests to sales, submitted by parties having any claim, should receive special consideration. Also that all complaints should be submitted to the Trustees.

The Secretary suggested that time might now be set for resuming acceptance of applications. The Attorney General requested that no action be taken on the subject at this time as consideration should be given to amount of base bid and also whether or not it would be better to make some change as to Trustees' agents on this work.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
June 14, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Attorney General Gibbs submitted bond furnished by Consolidated Operations, Inc., guaranteeing performance of lease for mining mineral sand along the Indian River, which bond he advised was satisfactory.

Motion was made, seconded and adopted that bond for one year as presented by the Attorney General from Consolidated Operations, Inc., be accepted. It was so ordered.

Attorney General Gibbs reported that he had received notice that an amended Resolution had been introduced in Congress, authorizing the Attorney General of the United States to institute proceedings for determining the title to submerged lands along the coast of the United States; that he had gone into the subject and could see no objection to such resolution.

Based on the report of the Attorney General, the Trustees were of the opinion that no further action on their part was necessary at this time.

Financial Statement for the month of May, 1940, is as follows:

FINANCIAL STATEMENT FOR MAY, 1940  
RECEIPTS

Various land sales .....	\$ 8,577.22
Land Lease under Ch. 14717, Acts 1931 .....	17.60
Farm leases .....	1,552.47
Sand, shell and gravel leases .....	243.57
Timber lease .....	3,123.79
Grazing leases .....	312.04
Quit Claim Oil & Mineral reservations .....	26.25
Water bottom lease .....	93.75
Oil lease .....	720.00
Grass lease .....	23.82
Reimbursement for ad- vertising lands .....	49.50
Reimbursement overpay- ment of taxes .....	1.47
Refund from U. S. for Pelican Bay Structure .....	22,471.16
Total receipts during month .....	\$ 37,212.64
Balance on hand May 1, 1940 .....	116,031.33
	<hr/>
	\$153,243.97
Less disbursements .....	5,026.05
	<hr/>
Balance May 31, 1940 .....	\$148,217.92

## BALANCES IN BANKS MAY 31, 1940

Atlantic National Bank, Jacksonville, Fla. ....	\$118,710.75
Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	10,685.86
Total in Banks .....	\$147,217.92
Cash on hand .....	1,000.00
Total cash on hand and in banks .....	\$148,217.92

## DISBURSEMENTS

Date 1940	No.	In Favor of	Amount
May 22,	11702	H. E. Carter .....	\$ 68.28
	11703	F. E. Bayless .....	23.67
	11704	M. C. McIntosh .....	58.35
	11705	S. S. Savage .....	219.89
	11706	W. B. Granger .....	28.50
	11707	Burrough Adding Machine Co. ....	1.00
	11708	Clearwater Publishing Co. ....	16.50
	11709	J. R. Peacock, CCC .....	1.50
	11710	E. B. Leatherman, CCC .....	4.00
	11711	Rose Printing Company .....	281.60
	11712	Capital Office Equipment Co. ....	2.75
	11713	Postal Telegraph-Cable Co. ....	.38
	11714	Western Union Telegraph Co. ....	4.64
	11715	Southeastern Telephone Co. ....	5.50
	11716	American Oil Company .....	3.19
	11717	Everglades Fire Control Dist. ....	3,000.00
31,	11718	F. C. Elliot .....	400.00
	11719	F. E. Bayless .....	275.00
	11720	M. O. Barco .....	175.00
	11721	Jentye Dedge .....	175.00
	11722	S. S. Savage .....	200.00
	11723	H. L. Shearer .....	50.00
	11724	M. C. McIntosh .....	31.30
Total disbursements for May, 1940 .....			\$5,026.05

TRUSTEES OF THE INTERNAL IMPROVEMENT  
FUND UNDER CHAPTER 18296

Balance May 1, 1940 .....	\$11,268.72
Receipts during month—land sales .....	2,369.18
	\$13,637.90

Disbursements .....	705.10
Balance on hand May 31, 1940 .....	\$12,932.80

#### BALANCES IN BANKS MAY 31, 1940

Atlantic National Bank, Jacksonville, Fla. ....	\$11,638.12
The Capital City Bank, Tallahassee, Fla. ....	1,294.68
	<hr/>
	\$12,932.80

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Attorney General Gibbs informed the Trustees that decision had been rendered by the Supreme Court in which it was held that title to land which vested in the State under Chapter 18296, Acts of 1937, would carry the lien of drainage taxes and would be sold subject to such taxes.

The Secretary reported that Melbourne-Tillman Drainage District, Brevard County, and Lake Worth Drainage District, Palm Beach County, had submitted bids for lands within the respective districts and urged that action be taken at the earliest date possible.

Motion was made, seconded and adopted that the bid submitted by Melbourne-Tillman Drainage District in amount of \$962.50, and bid submitted by Lake Worth Drainage District of \$6,192.50 be accepted, conditioned that in each district where former owner desires to acquire title to former ownership that the District convey the same to him at the price paid to the State.

Mr. Elliot reported that following the opinion handed down by the Supreme Court May 17th, on the question of municipal liens against lands coming to the State under Chapter 18296, the Trustees had authorized Clerk of the Circuit Courts, as agents, to allow purchasers of property within municipalities the privilege of accepting deed, or refusing to accept deed and having amount of bid refunded; that the Supreme Court had also rendered an opinion with reference to drainage districts, holding that the lands when sold by the State would convey title subject to drainage taxes or liens. It was recommended that the Clerks be instructed to take the same action with reference to lands within drainage district as adopted in reference to municipalities.



Motion was made, seconded and carried, that the recommendation of the Secretary be adopted as the action of the Trustees, and it was so ordered.

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Notice was presented from one of the Clerks of the Circuit Courts to the effect that an individual had applied for tax deed based on a 1932 certificate purchased by him, which certificate also covered land which came to the State under Section 9 of Chapter 18296.

Motion was made, seconded and adopted to refer the matter to the Attorney General for attention.

The Secretary submitted memorandum on the subject of protests filed to sales of lands bid in by non-owners, citing some of the cases and the reasons given for requesting rejection of bids. It was recommended that the Trustees adopt a blanket rule for disposing of the majority of protests.

Mr. Mayo moved that the recommendation of Mr. Elliot be adopted. Seconded by Mr. Knott, but upon vote the result was a tie and the motion was lost.

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The Secretary reported that a number of the Clerks had recommended that the Certificates coming under Chapter 18296, covering lands sold by the State under Section 9 of such Chapter, be retained in the offices of the Clerks of the Circuit Courts as county records in order that they might be available in the respective counties for more convenient examination by the public.

Upon discussion as to the advisability of this procedure, the Comptroller stated that the Trustees should be very careful in the handling and transfer of these certificates and requested time to go into the matter more thoroughly.

Motion was made, seconded and adopted that the Secretary and Mr. Ray Neal, of the Comptroller's Office, work out a plan for handling certificates satisfactory to the Comptroller.

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The following bills amounting \$996.16 were approved and checks ordered drawn in payment therefor:

H. A. Bowles, C.C.C., Jackson County .....	\$115.16
Mrs. Myrtle M. Culbreath, C.C.C., Hillsborough County .....	744.96
J. L. McMullen, C.C.C., Suwannee County .....	136.04
	<hr/>
	\$996.16

Upon motion duly adopted the Trustees adjourned.

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J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:  
F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
June 18, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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The Trustees gave consideration to application presented April 30th from Quartermaster General of the United States Army for lease of the following described land to be used as a Practice Bombing Range by the Air Corps:

Sections 14, 15, 16, 17, 18 and adjoining South Half of Sections 7, 8, 9, 10 and 11, Township 52 South, Range 38 East, Dade County, containing 4800 acres.

Motion was made, seconded and adopted to lease the area applied for to the United States for a period of two years at a rental of \$1 annually, the proper safeguards to be included in the lease for protecting the land from fires. The Land Department was directed to prepare lease for execution.

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Mr. John D. Kennedy, Fort Lauderdale, Attorney for Everglades Drainage District, requested that the Trustees agree to accept twenty-five (25) cents on the dollar of principal amount of indebtedness owed by Everglades Drainage District to the Trustees of the Internal Improvement Fund, and in addition to consent to the filing of bankruptcy proceedings under the Municipal Bankruptcy Act in United States District Court.

Upon discussion, the matter was referred to the Attorney General for investigation and report.

Mr. Mayo reported with reference to claim of the Trustees against Tidewater Red Cypress Company for logs taken from Dead Lakes under Lease No. 18490. Statement was made that Marion B. Knight, Attorney for J. S. Wight of Cairo, Georgia—one of the lessees—was willing to turn over all the timber of the year to the Trustees, or would make settlement based on findings of a board of arbitration.

The matter was referred to the Attorney General for taking the necessary steps to tie up all timber taken under the State's lease and now held by Tidewater Red Cypress Company.

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Mr. Bayless reported that the Clerk of the Circuit Court of Broward County had been unable to use bonds of Napoleon B. Broward Drainage District in payment of taxes on State lands, as suggested at the meeting April 23rd, and that it would be necessary to send check for balance due—\$173.17.

Motion was made, seconded and adopted, authorizing check drawn in favor of the Clerk of the Circuit Court of Broward County in amount of \$173.17 in payment of balance due on Broward Drainage District taxes on State lands.

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The following bills amounting to \$1,803.52 were approved and checks ordered drawn in payment therefor:

F. E. Bayless, Land Clerk—Expense account.....	\$ 11.75
W. B. Granger, Belle Glade, Fla.—Expense account .....	37.25
S. S. Savage, Field Agent, Ocala, Fla.—Expense account .....	316.80
Geo. O. Butler, C.C.C., West Palm Beach, Fla.....	90.00
E. B. Leatherman, C.C.C., Miami, Fla. ....	1.95
Wilson Trammell, Miami, Fla.—Special Master fees .....	1,134.10
Ft. Lauderdale Daily News, Ft. Lauderdale, Fla.	12.75
Burroughs Adding Machine Co., Jacksonville, Fla. ....	7.75
Capital Office Supply Co., Tallahassee, Fla. ....	3.20
Western Union Telegraph Co., Tallahassee, Fla.	6.15
Postal Telegraph-Cable Co., Tallahassee, Fla.....	2.25
Southeastern Telephone Co., Tallahassee, Fla. ....	6.40
E. R. Bennett, C.C.C., Ft. Lauderdale, Fla. ....	173.17

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\$1,803.52

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
June 24, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.

Present:

J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

Mr. John D. Kennedy, Attorney for Everglades Drainage District, was present and explained that Everglades Drainage District was trying to work out a plan for re-financing the District, and in order to allow time within which to deal with all interests it was contemplated that the District file bankruptcy proceedings under the Municipal Bankruptcy Act, which act expires June 30, 1940. The Trustees were urged to agree to a settlement of the principal of amount due the State by the District on the basis of twenty-five (25) cents on the dollar and agree to the filing of the bankruptcy proceedings.

The matter having been referred to the Attorney General at the meeting June 18th, Judge Gibbs reported as to the decision of the Circuit Court of Appeals in the Rorick cases as received by him over the telephone.

Full discussion was had as to effect on the Trustees of the bankruptcy proceedings in the absence of any agreement on the part of other creditors of the District as to the reduction in each respective indebtedness and the amount of delinquent taxes to be paid; also the fact that only three members were present, it was thought best to defer action until the full membership could meet. The members present were agreeable to stand by Resolution adopted by the Trustees in December, 1938.

Mr. Kennedy was informed of the action taken.

Lists having been prepared of lands owned by the State located in Everglades Drainage District, the following resolution was adopted:



## . RESOLUTION

WHEREAS, pursuant to Chapter 8412, Laws of Florida, Acts of 1921, the Trustees of the Internal Improvement Fund of the State of Florida are required to ascertain and certify the assessed value of the Internal Improvement Fund lands within Everglades Drainage District, and the said Trustees having ascertained the assessed valuation of such lands, now therefore,

BE IT RESOLVED That the assessed value of lands of the Internal Improvement Fund as ascertained by the said Trustees for the year 1940 be and the same is hereby certified to the Board of Commissioners of Everglades Drainage District as set forth on the attached lists, which said lists are identified by the signature of the Governor and attested by the Secretary under the seal of the said Trustees.

The Secretary was directed to have the lists properly executed and forwarded to Everglades Drainage District for extension on the 1940 assessment roll.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
June 25, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol

Present:

J. M. Lee, Comptroller.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Minutes of May 22nd, 23rd, 24th, June 4th, 5th, 14th and 18th presented and approved.

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The Trustees directed that S. S. Savage, Field Agent, make a survey of the manufactured lumber taken from the Dead Lakes by Tidewater Red Cypress Company

under lease from the Trustees, said lease having been terminated on account of failure of the company.

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The Secretary presented request from Florida Inland Navigation District for extension of resolution withdrawing from sale or other disposition submerged lands lying within 1000 feet of the center line of the channel of Intra Coastal Waterway, from Jacksonville to Miami, Florida.

The Trustees were of the opinion that it would be unnecessary to extend the resolution but it was agreed that notice be furnished the District of any proposed sale, which would serve the same purpose. The Land Department was directed to send notice to the District of proposed sales along the canal right of way.

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Request was submitted from the State Road Department for right of way and dredging areas through State land in Brevard County, to be used in connection with SRD No. 8—Project 1124, State Road No. 206, extending from Cocoa to Merritt.

Motion was made, seconded and adopted to grant request of the State Road Department for right of way and dredging areas over State lands located in:

Fractional Sections 33, 34 and 35, Township 24 South, Range 36 East, lying within 200 feet each side of the center line of State Road No. 206; also

Part of Fractional Section 36, Township 24 South, Range 36 East, and Fractional Sections 31 and 34, and theoretical Sections 32 and 33 in Banana River in Township 24 South, Range 37 East, lying within 600 feet each side of the center line of State Road No. 70—Project 5321.

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Offer of \$90 was submitted from A. R. Richardson for land covered by Everglades Tax Certificates 4136, 4137 and 4138, Sale of 1928, on 24 acres of land in Section 15, Township 44 South, Range 43 East, Palm Beach County.

Motion was made, seconded and adopted to accept offer of \$90 from A. R. Richardson for equity of the State in the land described.

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Application was presented from E. D. Treadwell to purchase land covered by Everglades Drainage Tax Certificate No. 6, Sale of August 6, 1928, being Section 3, Township 38 South, Range 31 East—640 acres in High-

lands County. Equity of the State in the land amounts to \$301.67. Offer of Mr. Treadwell, \$389.43 as former owner.

Motion was made, seconded and adopted to accept offer of \$389.43 made by E. D. Treadwell for the land applied for.

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Motion was made, seconded and adopted to decline offer of Three Cents an acre from Frank Strubbe of Miami for oil leases on State owned lands.

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Motion was made, seconded and adopted to decline offer of \$5 an acre from E. A. McColskey, Lake City, for the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 9, Township 8 South, Range 19 East, Alachua County, the Field Agent having placed a higher estimate on the land.

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Application was submitted from W. H. Hamilton, Winter Haven, offering \$40 for quit claim to mineral reservations contained in deed from the State, conveying the S $\frac{1}{2}$  of Lots 3 and 4, Section 13, Township 28 South, Range 26 East, Polk County.

Motion was made, seconded and adopted to accept offer of \$40 from W. H. Hamilton for quit claim of reservations applied for.

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Upon motion seconded and adopted, the Trustees directed that Grazing lease in favor of C. T. Hart, Ft. Meade, be renewed for a period of one (1) year on 1150 acres of land in Township 38 South, Range 34 East, Glades County, upon payment of 15 cents an acre.

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The Trustees declined offer of \$10,000 from J. L. Wood to purchase Section 23, Township 44 South, Range 35 East, Palm Beach County, located 5 miles South of Lake Harbor.

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Mr. Bayless submitted offer of \$1000 an acre from H. M. Clark for 1.82 acres of land described as Lot 1 of Section 9, Township 54 South, Range 42 East, Dade County, located on the north end of Virginia Key. Statement was made that the City of Miami had been notified of the application to purchase this tract, but no reply had been made indicating objection to the sale.

Upon motion seconded and adopted, the Trustees accepted bid of H. M. Clark for purchase of above described tract, plus cost of advertising, provided no valid objec-

tion was presented to sale of the land, and subject to right of J. M. Sutton to purchase at the price offered. The Land Clerk was requested to notify Mr. Sutton of offer received.

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Mr. Bayless submitted report from S. S. Savage, Field Agent, with information that Wilson Cypress Company had recently cut and removed 958,460 feet of Cypress timber from State land in Sections 4 and 9 of Township 16 South, Range 29 East, Volusia County; that the timber was of very good grade and easily logged since it was located on Spring Creek. Foreman for the Company had admitted cutting and removing the timber.

Mr. Bayless stated that he had taken the matter up with J. V. Walton, attorney for Wilson Cypress Company, and received the information that the United States Government had made an error in surveying the land and took in property belonging to his company.

Motion was made, seconded and adopted that the matter be referred to the Attorney General with request that immediate steps be taken to collect full value of the timber removed from State land.

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The Trustees deferred for further consideration and the return of the other members of the board, the following subjects:

1. Petition from Tom Conely with reference to Eagle Bay land;
  2. Proposition of Dixie Lumber Company for purchase of cypress timber in Lake and Volusia Counties;
  3. Offer of \$35 an acre from Allen C. Grazier, on behalf of client, for 123.37 acres of submerged land in Section 7, Township 32 South, Range 17 East, Pinellas County, being land reconveyed to the State under adjustment in 1936 of a 1926 land purchase.
  4. Proposal of South Lake Worth Inlet District submitted by R. O. Morrow for acquisition of Palm Beach County land.
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Motion was made, seconded and adopted to deny application of W. H. Jackson, on behalf of Lykes Bros., with offer of \$5 an acre for 174.53 acres in Sections 27 and 34, Township 40 South, Range 32 East, Glades County.

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The Trustees accepted offer from J. R. Ramer, Sebring, of twenty (20) cents an acre for one year grazing



lease on Section 10 and 11, Township 35 South, Range 30 East, containing 120.16 acres in Highlands County.

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Application was presented from James H. Hunt, Gainesville, to cut and remove pine stumps from State owned land in Levy County, offering ten cents per one thousand pounds.

Motion was made, seconded and adopted to accept 10 cents per 1000 pounds for removing stumps from Levy County land owned by the State, provided the stumps are taken out of the ground and not sawed or cut off level with the ground.

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Mr. Bayless presented application from T. T. Cobb, representing Rogers and Fuquay, offering \$50 for quit claim deed to mineral reservations contained in deed from the State, bearing date of March 19, 1926.

Motion was made, seconded and adopted to accept offer of \$50 for release of mineral reservations in deed to Rogers & Fuquay.

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The Trustees declined offer of \$400 from J. Louis Carter, West Palm Beach, for approximately 80 acres of lake bottom land in Section 17, Township 45 South, Range 43 East, formerly a part of Lake Osborne, Palm Beach County.

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Application was received from W. L. Cunningham, Belle Glade, on behalf of Bryan & Holloway, Inc., with offer of \$28 total, or fifty cents an acre for quit claim deed to reservations contained in Trustees' deed affecting 56 acres in Block 5 of Hiatus between Townships 43 and 44 South, Range 37 East, Palm Beach County.

Motion was made, seconded and adopted to accept offer from Bryan and Holloway, Inc., for release of reservations applied for.

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Mr. Bayless reported that in connection with exchange of lands in Sarasota County for consolidating holdings of Myakka River State Park, Maryland Land & Transportation Co., and the Vanderipe Estate, parties deeding to the Trustees, desired to know if Master's Abstract on the land would meet the requirements of the Trustees since it would mean considerable expense to have separate abstracts prepared for the several parcels.

Upon discussion, the Trustees agreed to examine the Master's abstract when submitted to them, after which

they would be in position to pass on whether or not it would be acceptable.

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Motion was made, seconded and adopted to decline offers to purchase the following land:

B. George Griffith, Miami, offers \$4,165.00 for 883.68 acres of land in Sections 34 and 35, Township 51 South, Range 41 East, Dade County.  
 J. U. Gillespie, New Smyrna, for J. T. Godfrey, offers \$75.00 for 6.8 acres of sovereignty land in Section 49, Township 18 South, Range 35 East.

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Application was submitted from S. Henry Harris, St. Petersburg, on behalf of Andrew Kerestury, for five year lease on submerged land, approximately 300 X 110 feet, adjacent to upland property and desired in the development of a commercial aquarium. Offer of \$10 annually was made for the lease.

Upon motion seconded and adopted, the Trustees accepted offer of \$10 annually from Mr. Harris for five year lease in favor of Andrew Kerestury covering tract of land described.

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Action was deferred on offer of \$500 an acre from Thomas H. Horobin for 5.34 acres of sovereignty land in Section 3, Township 53 South, Range 42 East, Dade County, pending a meeting of the entire board.

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Application was received from W. F. Jacobs, Chief of Staff, Seventh Naval District, U. S. Naval Air Station, requesting authority from the Trustees to use a small key known as Blake Key in the vicinity of Key West, to be used as a target for bombing practice. Information was given that the Key is located three miles from any habitation and the bombs to be used in practice will be water filled and not injurious to fish life.

Motion was made, seconded and adopted to grant request of the United States Naval Air Station to use Blake Key for a period of one year as a target for bombing practice.

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Motion was made, seconded and adopted to deny application from Phillip D. O'Connell, West Palm Beach, on behalf of Eugene Cummings Patterson, offering \$25 an acre for lake bottom land in Section 5, Township 43 South, Range 43 East, Palm Beach County, formerly a part of Lake Mangonia.

Consideration was deferred on request from W. E. Kirchoff for eliminating certain areas from his lease in the Suwannee River, such areas being claimed by Cummer Sons Cypress Company; also as to request for salvaging other materials and allowing three shipping points—Otter Creek, Hardeetown, and Oldtown—rather than one place for shipment as carried in present lease.

Mr. Bayless submitted letter from Robert Anderson, Miami, representing Marian D. McCormick and Barbara Danielson, requesting that the Trustees rescind former action fixing price of \$500 an acre and accept a price of \$250 an acre for the area bulkheaded and filled by his clients.

The matter was ordered held for a full membership of the board to be present.

Request was submitted from Thos. W. Butler, Sarasota, on behalf of Mrs. Marianna Lee, offering \$50 for approximately 0.92 acres of submerged land located on Bayou Louise, Section 1, Township 37 South, Range 17 East, Sarasota County, lying adjacent to upland property.

Motion was made, seconded and adopted to accept offer of \$50 plus cost of advertising, for the land applied for by Mrs. Lee.

Request was presented from East Volusia County Anti-mosquito Control District for permission to cut a ditch through the marsh lands owned by the State along the Indian River, Volusia County, in the interest of mosquito control.

Upon motion, seconded and adopted, the Trustees granted authority to Volusia County to cut a ditch through State lands as requested.

Mr. Elliot reported that the balance of \$4.90 due by F. E. Bayless on \$200 note, given to secure payment of Buick car, had been paid to the Trustees, (payments being represented by car mileage allowed Mr. Bayless when away from Tallahassee on business for the Trustees), and that cancelled note had been delivered to Mr. Bayless. Following is statement of account, approved by the Trustees as paid:

Buick Car—payment secured by note .....	\$200.00
Payments: April 15th Statement—	
Mileage March 27th—April	
12th, 1940, 1776 miles @ 5c \$	88.80

May 10th Statement—  
 Mileage May 2nd—7th,,  
 1940, 1142 miles @ 5c..... 57.10  
 June 10th Statement—  
 Mileage May 29th, 30th,  
 31st, 1940, 984 miles @ 5c 49.20  
 June 29th Statement—  
 Mileage June 21st, 1940,  
 (Part only) 98 miles @ 5c 4.90

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\$200.00 \$200.00

The following bills amounting to \$1,406.80 were approved and checks ordered issued in payment therefor:

#### PAYROLL FOR JUNE, 1940

F. C. Elliot, Engineer and Secretary—Salary.....	\$ 400.00
F. E. Bayless, Land Clerk, Salary .....	275.00
M. O. Barco, Clerk and Stenographer, Salary.....	175.00
Jentye Dedge, Clerk and Stenographer, Salary .....	175.00
S. S. Savage, Field Agent, Salary .....	200.00
H. L. Shearer, Clerk Land Office, Part time salary .....	50.00
S. S. Savage, Field Agent, Ocala, Fla., Expense acct. ....	131.80
	<hr/> \$1,406.80

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937.

The Attorney General presented request from Martin F. Whelan, Jr., Attorney for the City of Hialeah, for the purchase of

Tract 7-A and Lot 20, Block 7, Plat of Buena Vista, Dade County,

necessary in the development of a park and playground for underprivileged children in the southeast section of Hialeah.

Motion was made, seconded and adopted to defer action on this matter pending return of the other two members of the board.

Motion was made, seconded and adopted to defer for further consideration the request of Withlacoochee Co-Terminus Project for option to purchase land which reverted to the State under Chapter 18296.

Motion was made, seconded and adopted to decline to make correction deed under Chapter 18296, covering



Indian River County land. Request made by R. R. Saunders claiming that description was insufficient to convey title. It was the opinion of the Trustees that they could convey only land as described in tax certificates under said Act.

The Secretary presented three Hardee County bids against which protests had been filed.

Upon consideration of protests and of the recommendation of the Clerk of the Circuit Court, motion was made, seconded and adopted to accept bids as reported by the Clerk and the Trustees directed that deeds be executed to the following parties:

Andy Hurst .....	\$ 6.75
W. R. Ellis .....	14.50
F. L. Whitehead .....	25.75

The following bills amounting to \$4,344.27 were approved and checks ordered drawn in payment therefor:

Frank C. Pelot, Tallahassee, Clerk—Salary .....	\$ 150.00
Helen Phillips, Clerk and Stenographer—Salary .....	100.00
Jentye Dedge, Clerk and Stenographer—part time salary .....	25.00
M. O. Barco, Clerk and Stenographer—part time salary .....	25.00
R. Clyde Simmons, Clerk Circuit Court Hardee County .....	244.72
H. B. Summers, Clerk Circuit Court, Columbia County .....	105.04
Roy Caruthers, Clerk Circuit Court, Sumter County .....	310.00
G. M. Simmons, Clerk Circuit Court, Brevard County .....	623.50
W. R. Lott, Clerk Circuit Court, St. Lucie County .....	217.16
Carlyle Ausley, Clerk Circuit Court, Marion County .....	740.48
George J. Dykes, Clerk Circuit Court, Lake County .....	187.00
Thelma Lewis, Clerk Circuit Court, Hamilton County .....	60.88
Jack L. Meeks, Clerk Circuit Court, Levy County .....	68.56
A. J. Burnside, Clerk Circuit Court, Pasco County .....	96.12
Ross C. Sawyer, Clerk Circuit Court, Monroe County .....	1,372.36
Capital Office Supply Co., Tallahassee, Fla.....	8.30

Railway Express Agency, Tallahassee, Fla. ....	.45
Wm. Logan Hill, Clerk U. S. District Court, Pensacola, Fla. ....	2.00
H. E. Carter, Asst. Attorney General, Tallahassee, Fla. ....	7.70
	<hr/>
	\$4,344.27

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
July 9, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

The Trustees on May 1, 1940, agreed to accept offer of \$300 submitted by Booth & Dickenson for Paul H. Hornlein, for 0.95 acres of submerged land adjacent to upland property of Mr. Hornlein. As required by law the land was advertised for objections in the Clearwater Sun under dates of May 28th, June 4th, 11th, 18th and 25th, 1940, as follows:

Tallahassee, Florida, May 25, 1940.

#### NOTICE

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, July 2nd, 1940, at Tallahassee, Florida, to consider the sale of the following described submerged land in PINELLAS COUNTY:

A tract of submerged land in Big Bayou in the N $\frac{1}{2}$  of Section 31, Township 31 South, Range

17 East, more particularly described as follows: From the center of Section 31, Township 31 South, Range 17 East, run South  $88^{\circ} 57'$  West 35.83 feet to the sea wall; thence North  $3^{\circ} 26'$  East, 30.05 feet; thence North  $34^{\circ} 50'$  East 322.19 feet along the highwater line of Big Bayou to a cross in the sea wall; thence South  $50^{\circ} 22'$  East 38 feet to the corner of the sea wall; thence due South 266.27 feet; thence South  $88^{\circ} 57'$  West 179.28 feet to P. O. B. Containing 0.95 acres.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

Attest: F. C. Elliot, Secretary.

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There being no meeting of the Board on July 2nd, sale of the land was postponed to this date and upon information that no objections had been filed, sale was consummated to Paul H. Hornlein for the sum of \$300 plus cost of advertising.

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Upon application presented to the Trustees May 14th, from Gerry W. Miller, Ft. Lauderdale, on behalf of Rachael T. Beaty and Roberta S. B. Horton, it was agreed to sell 16.61 acres of submerged land adjacent to upland ownership at a price of \$150 an acre, subject to advertisement for objections. Whereupon, the following notice was published in the Ft. Lauderdale Daily News under dates of June 3rd, 10th, 17th, 24th and July 1st, 1940:

Tallahassee, Florida, May 30, 1940.

#### N O T I C E

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, July 2nd, 1940, at Tallahassee, Florida, to consider the sale of the following described land in BROWARD County, Florida:

Begin at a point in the meander of the west boundary of Govt. Lot 1, 990 feet North of the

South boundary of said Govt. Lot, which said beginning point is further described as South 13° West, 21 feet from the traverse post at the North end of the course forming a part of the western boundary of Government Lots 1 and 6, having a bearing and distance North 13° East, 1452 feet;

thence West 280 feet;

Thence South 13° West, 1960 feet;

Thence South 4° West, 402 feet to the South boundary projected of the N $\frac{1}{2}$  of Government Lot 7;

Thence East on said south boundary projected 351 feet to a point in the Government Meander along the West boundary of the N $\frac{1}{2}$  of Government Lot 6;

Thence along the meander North 4° 45' East 920 feet;

Thence North 13° East, 1431 feet to the point of beginning first above described. Lying and being in Sections 12 and 13, Township 50 South, Range 42 East, Containing 16.61 acres, more or less, in Broward County.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

Attest: F. C. Elliot, Secretary.

There being no meeting of the Trustees July 2nd, sale was continued to this date.

Objections were called for and Mr. Bayless, Land Clerk, presented protest from Inlet Beach Inc., and S. B. Snyder and Sons, Inc., to the effect that there was a legal question as to ownership of the upland and asking that sale be held in abeyance pending decision by the Court. Both parties submitted an offer of \$150 an acre for the tract.

Motion was made, seconded and adopted to defer action for a reasonable length of time on sale of Broward County land described in the above notice, pending determination by the Court as to title owner of the upland.



Application was presented from Peters & Kemp, on behalf of Wesley W. Matthews, Executor of the Estate of Myra M. Woodbury, with offer of \$12.86 for land covered by Everglades Drainage Tax Certificate No. 5765, Sale of July 7, 1930—NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; N $\frac{1}{2}$  of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 24, Township 56 South, Range 38 East, Dade County. Affidavit was furnished that applicant represents former owner of the land.

Motion was made, seconded and adopted to accept offer from Wesley W. Matthews for the estate of Myra M. Woodbury, and deed was ordered issued upon payment of \$12.86.

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Messrs. J. L. Wood and W. G. Hull of Bell Glade, submitted an offer of \$15,000 for Section 23, Township 44 South, Range 35 East—Palm Beach County—which land is located approximately three miles south of Lake Harbor and one-fourth mile east of Miami Canal.

Upon consideration, motion was made, seconded and adopted to decline offer of \$15,000 for the land applied for by Messrs. Wood and Hull.

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The Trustees declined offer of \$500 from Willard Utley, West Palm Beach, on behalf of the town of Lantana, for the purchase of approximately eight acres of reclaimed land in Section 3, Township 45 South, Range 43 East, Palm Beach County. Statement was made that a portion of the tract would be deeded to Dr. V. A. Dodd whose property lies adjacent thereto, for which Dr. Dodd agrees to pay \$500.

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Mr. R. L. Braddock, representing Shore Acres Plantation, Inc., Belle Glade, applied for a ten year grazing lease on all of Section 32 and all Section 33 South and West of the Canal, Township 44 South, Range 38 East, Containing approximately 1200 acres in Palm Beach County. The following offer was made for the lease:

In lieu of first year's rental, Lessee agrees to ditch, drain and plant grass on all land in Section 33, and as much of Section 32 as possible; For the remaining nine (9) years Mr. Braddock agrees to pay rental on the entire acreage as follows:

Second year ten cents (10c) an acre;

Third year fifteen cents (15c) an acre;

Fourth year twenty cents (20c) an acre;

Fifth year twenty-five cents (25c) an acre;

Sixth, Seventh, Eighth, Ninth and Tenth years

payment to be made at the rate of fifty cents (50c) an acre annually.

In addition to the above payments, Mr. Braddock agrees to spend, during the first year, approximately \$10,000 for ditching, diking and conditioning of the soil and sweetening the land. Agrees to put all of Section 33 into cultivation the first year and have the entire area under cultivation by the end of the second year. Also all improvements to become the property of the Trustees at the termination of the lease.

Motion was made, seconded and adopted to accept offer of Mr. Braddock for ten year grazing lease on the land applied for, conditioned upon payments being made as outlined and all conditions complied with. The Attorney General was requested to pass upon the lease form.

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Mr. Franklin West, Attorney of Milton, Florida, presented request from his client Mr. W. W. Harrison, that Diatomite Lease No. 93, dated June 14, 1940, be assigned to his son Francis A. Harrison and that cash bond filed with the Trustees be transferred to the name of Francis A. Harrison.

Discussion was had as to the reasons for assignment of lease and the method of transferring bond.

Motion was made, seconded and adopted that the Trustees grant request of W. W. Harrison for assignment of his lease to his son, Francis A. Harrison, and transfer of cash bond. All papers to be approved by the Attorney General before final execution.

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Trustees declined offer of \$100 an acre from B. B. Pinner, West Palm Beach, for approximately four (4) acres of submerged land adjacent to his upland ownership known as "Pinner's Island," in Township 43 South, Range 43 East, in Lake Worth, Palm Beach County.

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The Trustees declined to reconsider offer of \$10 an acre from R. O. Morrow, Palm Beach, on behalf of South Lake Worth Inlet District, for the purchase of 15 acres of sovereignty land adjacent to Lot 4, Section 15, Township 45 South, Range 43 East, Palm Beach County, to be used by the District for depositing spoil dredged from the channel. It was agreed, however, to re-affirm action taken April 30th, giving permission to deposit material on such area.

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Request was submitted from Thomas H. Horobin, Coral Gables, with offer of \$500 an acre for 5.34 acres of

sovereignty land in Section 3, Township 53 South, Range 42 East, Dade County.

Mr. Horobin state that this land lies adjacent to the Dougherty property and they are requiring him to purchase the above tract and deed them a portion thereof in exchange for access to his holdings north of Bascayne Point.

The Trustees were of the opinion that this request should be joined in by the Dougherty interests before action was taken, whereupon offer from Mr. Horobin was declined.

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Trustees declined offer of \$35 an acre presented from Allen C. Grazier, St. Petersburg, on behalf of clients, for the purchase of 123.37 acres of submerged land in Section 5, Township 32 South, Range 17 East, Pinellas County.

Information was furnished that this land comprises a portion of a 1926 purchase by Mr. Grazier's clients at a price of \$100 an acre and subsequent conveyance in 1936 of three-fourths of the land in exchange for deed to one-fourth of the tract represented by payments to the State.

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Motion was made, seconded and adopted to decline to lease 230 acres of lake bottom land in Section 15, Township 38 South, Range 35 East, Okeechobee County, applied for by S. J. Davis with an offer of fifteen cents (15c) an acre annually. The Trustees agreed to issue lease on the land for a period of one year upon payment of twenty-five (25) cents an acre.

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Mr. Bayless reported that pursuant to action of the Trustees June 25th, 1940, agreeing to accept \$1000 an acre from H. M. Clarke for 1.82 acres in Lot 1, Section 9, Township 54 South, Range 42 East, Dade County, subject to rights of J. M. Sutton, he had given Mr. Sutton notice of the offer received. Mr. Sutton had replied that he would exercise his preferential rights and purchase the land at the price agreed upon, and requested that his account with the State be charged with purchase price, less 20 per cent as per agreement of November 23, 1923.

The Trustees being of the opinion that it would be inadvisable to sell the land at this time, motion was made, seconded and adopted to withdraw the land from sale for the time being.

The Trustees accepted offer of \$5 per thousand stumpage from R. U. Baumgardeur, Crystal River, Florida, for pine timber located on Section 19, Township 17 South, Range 16 East, Citrus County, based on report from the Field Agent that the section will cut 92,000 feet of lumber.

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Mr. Bayless presented letter from A. B. Edwards, Sarasota, Florida, requesting that the Trustees designate some lawyer in Sarasota, or send a representative from the Capitol, to examine abstracts and close up land transaction with reference to Myakka River State Park.

Mr. Bayless stated that the transaction was ready for closing as soon as abstracts were sent up for examination by the Trustees.

Motion was made, seconded and adopted that the Trustees decline to have examination of the papers made in Sarasota, but affirm action heretofore taken that the abstracts be sent to Tallahassee for investigation.

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Letter was presented from W. E. Kirchoff, who holds lease from the Trustees for removal of deadhead timber from the Suwannee River, requesting that lease be amended as follows:

1. Eliminate the tributaries in which Cummer Sons Cypress Company has holdings;
2. Allow salvage of other material than timber on a 10% royalty basis;
3. Permit the use of three shipping points—Otter Creek, Hardeetown and Old Town;
4. Change minimum production for any six months period from 500,000 to 150,000 feet, on account of decreased area, which would guarantee minimum royalty payment of \$125 per month.

Upon consideration, the Trustees were agreeable to making the changes requested, except as to number two (2) with reference to salvage of other material, which was denied.

The Trustees directed that amendments as agreed upon be prepared and submitted to the Attorney General for approval.

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Offer of \$10 was presented from Frederick S. Van Roy of Crystal River, Florida, for release of mineral reservations in Deed No. 18460 dated October 7, 1938, in favor of Bay View Homes Company, conveying Government Lots 3 and 4, Section 28, Township 18 South, Range 17 East, containing 6.93 acres in Citrus County.



Motion was made, seconded and adopted to accept offer of \$10 for release of reservations requested by Mr. Van Roy.

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The Trustees recessed to meet at Three o'clock P. M.

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### THREE O'CLOCK P. M.

The Trustees met in the Comptroller's office pursuant to recessed meeting of the morning. Same members present.

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Mr. Bayless called attention to the matter of settlement with Tidewater Red Cypress Company on account of Lease No. 18490 for taking logs from Dead Lakes. It was stated that attorney for Mr. Wight, representing Tidewater Red Cypress Company, had tendered check in amount of \$1760 as full settlement of Trustees claim amounting to \$2600, conditioned that the Trustees cancel bond and release the company from any further liability, or in lieu of cash payment, the Company would turn over to the Trustees all lumber on the yards upon return of check for \$1760 and release of bond.

Report from S. S. Savage, Field Agent, was submitted giving estimate of amount of timber on the yards of Tidewater Red Cypress Company and the price at which it might be sold.

Proposal was presented by Martin F. Burket guaranteeing to sell the lumber now on the yards of Tidewater Red Cypress Company at a price not less than \$2700 net and pay himself a reasonable price for services. He stated that he had offers from several companies to purchase the lumber which would bring the Trustees the amount offered.

Upon discussion of proposals submitted, motion was made, seconded and adopted that Mr. Bayless accompany Mr. Burket to the several lumber companies making offers to purchase and upon verification of offers that the Trustees accept proposal of Tidewater Red Cypress Company to take over all lumber on the yards, whereupon check will be returned and bond released.

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Attorney General Gibbs submitted letter from Mr. Robert Anderson, Attorney of Miami, representing Barbara Danielson and Marian McCormick, requesting that the Trustees reduce the price of \$500 an acre for land applied for by his clients, being an area which they bulkheaded and filled adjacent to their upland.

Upon consideration, the Trustees declined to recede from former action setting the price for the land at \$500 an acre.

Attorney General Gibbs submitted correspondence from Mr. Ben Herr of West Palm Beach, requesting that he be compensated for his services in securing reimbursement from the United States for amounts expended by the Trustees in connection with construction of Pelican Bay culvert at Bacom Point. On May 16, 1939, the Trustees authorized Mr. Herr to present claim for repayment. Mr. Herr furnished information as to his efforts in making collection of \$22,471.16, setting forth in detail the various steps leading up to the successful termination of the request for reimbursement.

Upon consideration of the matter, motion was made, seconded and adopted that Mr. Herr's request based on ten per cent of the amount collected be granted and that Trustees check in the sum of \$2,247.11 be drawn in his favor.

Letter was submitted from J. U. Gillespie of New Smyrna, on behalf of J. T. Godfrey, requesting that the Trustees reconsider offer of \$75 an acre for 6.8 acres of land in Section 49, Township 18 South, Range 35 East, Volusia County.

Motion was made, seconded and adopted to decline to reconsider action on request from Mr. Godfrey.

Financial Statement for the month of June is as follows:

#### FINANCIAL STATEMENT FOR JUNE, 1940 RECEIPTS

Various Land sales .....	\$4,999.96
Farm Leases .....	2,013.00
Sand, Shell and Gravel	
Leases .....	719.60
Timber Leases .....	506.25
Grazing Lease .....	189.55
<hr/>	
Total Receipts during month .....	\$ 8,428.36
Balance on hand June 1, 1940 .....	148,217.92
<hr/>	
	\$156,646.28
Less Disbursements .....	3,210.32
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Balance June 30, 1940 .....	\$153,435.96

## BALANCES IN BANKS JUNE 30, 1940

Atlantic National Bank, Jacksonville, Fla. ....	\$123,902.54
Florida National Bank, Jacksonville, Fla. ....	17,821.31
Capital City Bank, Tallahassee, Fla. ....	10,712.11
Total in Banks .....	\$152,435.96
Cash on hand .....	1,000.00
Total cash on hand and in banks .....	\$153,435.96

## DISBURSEMENTS

Date 1940	No.	In Favor of	Amount
June 19,	11725	F. E. Bayless .....	\$ 11.75
	11726	W. B. Granger .....	37.25
	11727	S. S. Savage .....	316.80
	11728	Geo. O. Butler, C.C.C. ....	90.00
	11729	E. B. Leatherman, C.C.C. ....	1.95
	11730	Wilson Trammell, Master's fee	1,134.10
	11731	Ft. Lauderdale Daily News....	12.75
	11732	Burroughs Adding Machine Co. ....	7.75
	11733	Capital Office Supply Co. ....	3.20
	11734	Western Union .....	6.15
	11735	Postal Telegraph-Cable Co. ....	2.25
	11736	Southeastern Telephone Co. ....	6.40
	11737	E. R. Bennett, C.C.C. Dr. Taxes	173.17
29,	11738	F. C. Elliot, Salary .....	400.00
	11739	F. E. Bayless, Salary .....	275.00
	11740	M. O. Barco, Salary .....	175.00
	11741	Jentye Dedge, Salary .....	175.00
	11742	S. S. Savage, Salary .....	200.00
	11743	H. L. Shearer, Salary .....	50.00
	11744	S. S. Savage, Expenses .....	131.80

Total disbursements for June, 1940 \$3,210.32

TRUSTEES OF THE INTERNAL IMPROVEMENT  
FUND UNDER CHAPTER 18296

Balance June 1, 1940 .....	\$12,932.80
Receipts during month—land sales....	16,386.52
	\$29,319.32
Disbursements .....	5,340.43
Balance on hand June 30, 1940 .....	\$23,978.89

## BALANCE IN BANKS JUNE 30, 1940

Atlantic National Bank, Jackson- ville, Fla. ....	\$22,227.99
Capital City Bank, Tallahassee, Fla. ....	1,640.90
Total in Banks .....	<u>\$23,978.89</u>

## DISBURSEMENTS

Date 1940	No.	In Favor of	Amount
June 19,	31	H. A. Bowles, C.C.C., Jackson Co.	\$ 115.16
	32	Myrtle M. Culbreath, C.C.C. ....	744.96
	33	J. L. McMullen, C.C.C. ....	136.04
29,	34	Frank C. Pelot .....	150.00
29,	35	Helen Phillips .....	100.00
	36	Jentye Dedge .....	25.00
	37	M. O. Barco .....	25.00
	38	R. Clyde Simmons, C.C.C. ....	244.72
	39	H. B. Summers, C.C.C. ....	105.04
	40	Roy Caruthers, C.C.C. ....	310.00
	41	S. M. Simmons, Clerk .....	623.50
	42	W. R. Lott, Clerk .....	217.16
	43	Carlyle Ausley, Clerk .....	740.48
	44	Geo. J. Dykes, Clerk .....	187.00
	45	Thelma Lewis, Clerk .....	60.88
	46	Jack L. Meeks, Clerk .....	68.56
	47	A. J. Burnside, Clerk .....	96.12
	48	Ross C. Sawyer, Clerk .....	1,372.36
	49	Capitol Office Supply Co. ....	8.30
	50	Railway Express Agency .....	.45
	51	Wm. Logan Hill, Clerk .....	2.00
	52	H. E. Carter .....	7.70
Total disbursements for June, 1940			<u>\$5,340.43</u>

CONSIDERATION OF SALES UNDER SECTION  
9, CHAPTER 18296

Mr. Franklin West, Attorney of Milton, requested information as to whether or not there was any way by which his client could pay the Trustees one-fourth of the amount of 1932 assessed value of lands now under condemnation proceedings instituted by the Federal Government and thereby save any balance.

The Attorney General advised that the only power the Trustees have is to sell the land as authorized by law, which calls for giving notice and selling to the highest and best bidder for cash.



Mr. Elliot submitted request from the Clerk of the Circuit Court of Martin County, as agent for the Trustees, that he be allowed to include in certain deeds for his county a reservation 100 and 200 feet wide for existing State Highways, and also allow him to insert in future notices and deeds a clause reserving right of ways for State Roads.

The Trustees having already agreed that it would be necessary to give notice in the advertisement that road right of ways would be reserved where necessary, and in deeds where applicable the reservation would be reserved, the Secretary was authorized to insert in the deeds already drawn the reservation for State Road Right of ways. Also that bidder be given the privilege of accepting or rejecting deed with right of way reserved, and if rejected amount of bid to be refunded.

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Mr. Elliot reported that with reference to request for correction deed, he had taken up with the Clerk of the Circuit Court of Indian River County the matter of description in the deed to H. J. Dame and E. B. Warren described as

Part of Govt. Lot 1 as shown by Assessor's Plat  
Section 9, Township 35 South, Range 40 East,  
and the Clerk's reply that "Assessor's Plat" referred to was not a recorded plat and not a part of the records of Indian River and should not have been included in the Certificate.

Upon discussion, Mr. Knott suggested that the Tax Assessor be requested to furnish the Trustees with certificate to the effect that the description in certificate refers to land described as —(correctly describing the parcel to be conveyed.)

Motion was made, seconded and adopted to refer the matter to the Attorney General for having the proper certificate furnished by the Tax Assessor.

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Letter was presented from Adjutant General Vivian Collins, requesting that the Trustees withhold from sale certain lands in Clay County lying within a 30,000 acre tract now being acquired by the Armory Board of the State of Florida for use as a campsite for the National Guard of Florida, as a part of the National Defense program.

Motion was made, seconded and adopted that the Trustees notify the Clerk of the Circuit Court of Clay County to withhold from sale the parcels of land requested by

Adjutant General Collins as being necessary in the National Guard campsite.

Mr. Elliot informed the Trustees that Chas G. Brand, representing the original owner, and as lienor, submitted bid of \$1650 for Monroe County land sold February 26, 1940; that an outsider bid \$1700 which was not raised by Mr. Brand, the Clerk having notified him that the Trustees would not consider the non-owner bid as against the owner. On February 27th the Clerk notified applicant that the Trustees had changed instruction that would affect his case and he had immediately sent up check for \$51 making total bid \$1701.

The Attorney General advised that the bid of Mr. Brand could not be accepted as it was not a legal bid after bidding closed.

Report was submitted from Clerk of the Circuit Court of Volusia County that he had inadvertently used one-fourth of the total amount of taxes as basis for bidding in some instances, instead of one-fourth of the assessed value for 1932; that the difference in bids covering a large number of applications represents a small amount. The money has been paid in and the Trustees are requested to accept the bids on such basis, otherwise much inconvenience and annoyance would be caused to persons who have submitted bids under instructions from the Clerk.

The Trustees agreed to accept the bids on the basis explained by the Clerk.

Upon request from the State Road Department, the Trustees agreed to execute and deliver deeds for right of ways 100 feet wide through certain parcels of land under Chapter 18296, in the several counties of the State, upon approval by the Attorney General of the form of deed.

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
July 23, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk

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Consideration was given to sale of Dade County land, offer for which was accepted by the Trustees June 4, 1940, subject to advertisement for objections. Price of \$250 an acre was agreed upon plus cost of advertising, which was acceptable to Charles B. Cleveland representing applicant John L. Patten.

The following Notice was published in the Miami Daily News on June 17, 24, July 1, 8 and 15, 1940:

Tallahassee, Florida, June 14, 1940

#### NOTICE

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday July 23, 1940, at Tallahassee, Florida, to consider the sale of the following described land in DADE COUNTY, FLORIDA:

Beginning at an iron pipe set in the center line of Collins Avenue on the North line of Gulf Stream Park, a subdivision recorded in Plat Book 35, at Page 51 of the Public Records of Dade County, Florida; Thence due West along the North line of said Gulf Stream Subdivision for a distance of 840 feet to a point; Thence North  $8^{\circ}30'00''$  East, for a distance of 455 feet to the point of beginning of the tract of land herein described;

Thence North  $81^{\circ}30'00''$  West for a distance of 10 feet to the beginning of a curve;

Thence Northerly and Northwesterly along a curve having a radius of 290 feet through a central angle of  $88^{\circ}00'00''$  for an arc distance of 445.51 feet to the end of said curve, the

tangent of said curve being at right angles to the last aforesaid course;

Thence North  $10^{\circ}30'00''$  East, at right angles to the tangent of the last aforesaid curve for a distance of 10 feet to a point;

Thence North  $70^{\circ}30'00''$  East, for a distance of 260 feet to a point;

Thence South  $87^{\circ}30'00''$  East, for a distance of 190 feet to a point;

Thence South  $24^{\circ}46'43''$  for a distance of 460.19 feet to the point of beginning. Containing 1.66 acres, more or less and lying and being in Dumfoundling Bay, Dade County, Florida.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

ATTEST:

F. C. Elliot,  
Secretary.

No protests having been received, motion was made, seconded and adopted to confirm sale to Mr. Patten and deed was ordered executed upon payment of \$250 an acre plus cost of advertising.

Sale of Palm Beach County land applied for by Neil A. Campbell, with price of \$500 an acre agreed upon by the Trustees on May 14, 1940, was presented for final action. Pursuant to agreement of May 14th, the following Notice was published in the Palm Beach Post on June 17, 24, and July 1, 8 and 15, 1940:

Tallahassee, Florida, June 14, 1940

#### NOTICE

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, July 23, 1940, at Tallahassee, Florida, to consider the sale of the following described land in PALM BEACH County, Florida:

Commencing at the Southwest corner of said Section 34, run thence South  $88^{\circ}15'$  East along the South line of said Section 34, 4338.23 feet;



Thence North  $13^{\circ}15'$  East, 221.47 feet;

Thence North  $77^{\circ}07'06''$  West, 292.59 feet;

Thence North  $39^{\circ}45'$  West, 320 feet to point No. 9 of traverse of Tract No. 2, Trustees Deed No. 17827 to C. W. Bingham, said point being the point of beginning of the tract of land herein described;

Thence North  $1^{\circ}07'$  West, 431.39 feet to a point in the line between points 1 and 2 of traverse of Tract No. 1 of said Trustees Deed No. 17827;

Thence North  $72^{\circ}54'$  West along said line between Points 1 and 2, a distance of 19.24 feet to said Point No. 2;

Thence North  $39^{\circ}54'$  West along line between Points 2 and 3, a distance of 338.28 feet;

Thence South  $1^{\circ}07'$  East, 681.51 feet to a point in the line between Points 8 and 9 of traverse of Tract No. 2, Trustees Deed No. 17827;

Thence South  $86^{\circ}15'$  East, along said line between Points 8 and 9, a distance of 231 feet to the point of beginning, said Tract containing 2.9 acres. Lying and being in Section 34, Township 43 South, Range 43 East, Palm Beach County, Florida.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

ATTEST:

F. C. Elliot,  
Secretary.

The Chairman called for protests to sale, if any. J. Field Wardlaw, representing Marjorie Post Davies and Joseph E. Davies, submitted written objections to the sale of the land on the ground that the Trustees did not have title; that it vested in the upland owner under the Riparian Rights Act; that the land was not sovereignty, sand bar, shallow bank, or island made by dredging; denied that the water was more than 3 feet deep at high tide; denied that the land was separated

from the shore by a channel 5 feet deep at high tide; that sale of the land to Mr. Campbell would not tend to aid navigation or commerce, but would impair the rights of the people and if sold would violate the trust under which the State holds title.

Objections presented by Mr. Wardlaw and similar ones were concurred in by the following parties and organizations:

Maurice Fatio  
 Mrs. Benjamin Rogers  
 Claude K. Boettcher  
 Edward C. Dale  
 Albert H. Schmidt  
 T. Terry West  
 LeRay Berdeau  
 Mrs. James P. Donahue  
 Town of Palm Beach, represented by Mr. James  
 M. Owens  
 Women's League for Better Government  
 Palm Beach Yacht Club.

Evidence was furnished that resolution adopted by the town of West Palm Beach, protesting sale of the land, was rescinded July 10th.

Mr. Campbell requested the Trustees to consummate sale to him in order that he might carry out his proposed improvement of the area known as Fisherman's Island by constructing a bridge from the Island to Southern Boulevard; that he proposes to improve the island as his home and has no intention of putting it on the market as a subdivision, as claimed by parties protesting.

Engineering features of the project were explained by Mr. Campbell. Information was submitted as to unsanitary condition of the tract at low tide, resulting in dead fish, sewage and other debris being washed up by the tide.

Mr. Bert Winters, on behalf of Mr. Campbell, stated that the proposed construction by Mr. Campbell would be an asset to the community and that the building of the bridge would not impede navigation any more than at present. That if the parties protesting felt they had been aggrieved that they had the privilege of going into court and enjoining the sale.

The following parties recommended that sale be made to Mr. Campbell on the ground that the improvement would be a decided asset to the two towns and would not interfere with navigation or the riparian rights of property owners around the Lake:

George S. Brockway, Engineer, West Palm  
 Beach

W. Terry Gibson, West Palm Beach  
 F. A. Currie, West Palm Beach  
 Bert Winters, Attorney, West Palm Beach  
 Bessemer Properties filed letter that they did  
 not object to sale to Mr. Campbell.

Upon discussion, the Trustees agreed to defer action on the sale pending filing of written briefs from both sides. Mr. Wardlaw was requested to furnish Mr. Winters with copy of his written objections and one week each was allowed for filing of briefs and rebuttal thereto.

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Mr. Henry Toland of Plant City came before the Trustees with proposal from Wayne Thomas to purchase approximately 1800 acres of Hillsborough County land which vested in the State through foreclosure of State and County tax certificates under Chapter 14572, Acts of 1929. It was stated that Mr. Thomas formerly owned this tract but allowed its foreclosure in order to block up an area for a State Park. The plans for the Park never having been carried out, Mr. Thomas desired to regain title to the land.

Prior to this date Mr. Thomas' offer of \$1 an acre was declined based on the ground that the Decree amounted to \$3,295.39 and reduction had not been recommended by the Board of County Commissioners. Also appraisal of the Field Agent valued the land at \$2.50 and \$3.00 an acre.

Mr. Toland requested that the Trustees reconsider former action and accept a price of \$1.50 an acre for the 1800 acres of land in Township 17 South, Ranges 20 and 21 East, Hillsborough County.

It was suggested that Mr. Toland secure a letter from the Board of County Commissioners of Hillsborough County, stating whether or not they recommended sale of the land at a price of \$1.50 an acre, upon receipt of which action would be taken by the Trustees.

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Lieutenants J. J. Shea and E. S. Spangler submitted application to lease for Naval Air Training purposes approximately 275 acres of State land in Section 2, Township 50, South, Range 41 East, Newman's Survey, Broward County, and Section 28, Township 53 South, Range 40 East, 640 acres in Dade County.

Motion was made seconded and adopted to grant lease to the Navy Department of the United States for naval air training purposes.

Messrs. Wood and Hull of Belle Glade, Florida, offered \$20,000 for Section 23, Township 44 South, Range 35

East, Palm Beach County, an offer of \$15,000 having been declined at former meeting. Applicants requested that payments during the first twelve months apply to one-half of said section and payments beginning at the expiration of the first year include and apply on the entire section.

Action was deferred pending report from Mr. Granger as to character of the land and its value.

Consideration was given to proposed settlement with Tidewater Red Cypress Company, and offer from J. S. Wight, President of the Company, to pay \$1716.00 cash for all claims against the company and the release of bond filed with Lease No. 18490.

Motion was made seconded and adopted to accept \$1716 cash in full settlement of all claims against Tidewater Red Cypress Company and to release bond filed with lease.

The following bills amounting to \$3,092.08 were approved and checks ordered drawn in payment thereof:

M. C. McIntosh, Asst. Attorney General .....	\$ 58.10
S. S. Savage, Field Agent, Ocala, Fla. ....	154.85
W. B. Granger, Belle Glade, Fla. ....	27.00
J. P. Hall, Sheriff Clay County, Green Cove Springs, Fla. ....	1.85
E. R. Bennett, C.C.C., Broward County .....	1.00
Clearwater Publishing Co., Clearwater, Fla. ....	11.25
Palm Beach Publications, West Palm Beach, Fla. ....	22.50
Fort Lauderdale News, Ft. Lauderdale, Fla. ....	14.25
Board of County Commissioners Levy County, Bronson, Fla. ....	283.65
Thelma Willis Cottrell and Alice L. Willis, Levy County .....	116.05
J. C. Adkins, Gainesville, Fla. ....	116.06
Ben Herr, West Palm Beach, Fla. ....	2,247.11
H. & W. B. Drew Co., Jacksonville, Fla. ....	9.25
Postmaster, Tallahassee, Fla. ....	5.00
Postal Telegraph-Cable Co., Tallahassee, Fla. ....	2.62
Western Union, Tallahassee, Fla. ....	10.64
Southeastern Telephone Co., Tallahassee, Fla. ....	5.20
J. R. McLeon, Sheriff, Hillsborough County .....	5.70
F. C. Elliot, Engineer and Secretary—July Salary .....	400.00
F. E. Bayless, Land Clerk—July Salary .....	275.00
M. O. Barco, Clerk & Stenographer—July Salary .....	175.00
Jentye Dedge, Clerk & Stenographer—July Sal- ary .....	175.00



H. L. Shearer, Clerk in Land Office, Pt. Time .....	50.00
S. S. Savage, Field Agent—July Salary .....	200.00
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	\$4,367.08

## CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Lieutenants J. J. Shea and E. S. Spangler, from the United States Naval Aviation Base, Opalocka (Miami), Florida, submitted information that the Navy Department desired to lease certain tracts of land in Dade and Broward Counties, title to which vested in the State under Chapter 18296, Acts of 1937, to be used in connection with Naval air training.

The Trustees advised Lt. Shea that there was no authority to lease such lands, but there would be no objection to the Navy Department using them for training purposes.

It was agreed that the lands be withheld from sale until further notice, and Messrs. Shea and Spangler were advised that there would be no objection on the part of the Trustees to the Navy Department using the lands described for the purpose of Naval Air training.

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Mr. Charles A. Mitchell of Vero Beach submitted request of Fellsmere Land Company for permission of the Trustees to make application to the Clerk of the Circuit Court of Indian River County to have land formerly owned by the Company advertised for sale with reduced base bid, amount offered being \$392.50.

Information was furnished that the tract consisted of approximately 3300 acres of land described as Lot "V" in Township 32 South, Range 36 East, adjoining Blue Cypress Lake, the major portion of which remains under water most of the year. Former owners desire to regain title and attempt to develop the area for grazing purposes. Letters presented from the Tax Assessor, County Engineer, Clerk of the Circuit Court and adjoining property owner, urged that reduced bid be allowed and the land offered for sale.

The Trustees agreed to consider the application at an early date and notify Mr. Mitchell.

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Mr. J. M. Bregar, Mayor of Temple Terrace, Florida, requested that the Trustees authorize the Clerk of the Circuit Court of Hillsborough County to advertise a large number of lots within the city limits with a base bid of \$250.00. Statement of the financial structure of the town was presented. Mr. Bregar urged that the

Trustees grant the request of the City of Temple Terrace and the plan had been carefully worked out with the bond holders and if carried out would enable the town to start anew and clean up the old bonded debt which had been hanging over the land for years.

Motion was made seconded and adopted to give consideration to the application at the earliest date possible and advise Mr. Bregar of action taken.

Discussion was had with reference to sales of land under Chapter 18296, located within Palm Beach County. Numerous protests had been filed by former owners as to the manner of advertising the land. Several particular cases were considered where the land was located in one section of the county and the advertisement appeared in a newspaper in another section.

No decision was reached as to disposition of protested cases in Palm Beach County.

The following bills amounting to \$5,878.95 were approved and checks ordered drawn in payment therefor:

Langley Bell, C.C.C., Escambia County .....	\$ 91.48
E. B. Leatherman, C.C.C., Dade County .....	1,100.44
Ray E. Green, C.C.C., Pinellas County .....	1,174.72
A. J. Thomas, C.C.C., Bradford County .....	20.96
A. J. Burnside, C.C.C., Pasco County .....	135.80
James E. Conner, C.C.C., Citrus County .....	20.76
The Commercial Office Supply Co., Tallahassee, Florida .....	28.80
Florida Office Equipment Co., Inc., Tallahassee, Florida .....	2.00
Capital Office Supply Co., Tallahassee, Fla. ....	25.50

#### REFUNDS UNDER CHAPTER 18296

M. K. Wilson, Duval County .....	465.00
John B. Calder & Florence Calder—Duval County .....	195.00
Abraham L. Lewis—Duval County .....	98.00
Jacksonville Realty Investments Inc.—Duval County .....	125.00
T. H. Sompayrac, Duval County .....	96.55
Frank and Hinda Bullock, Duval County .....	25.00
Douglas Baker, C.C.C., Indian River County .....	25.00
Erwin T. Jun, Indian River County .....	37.50
Lilly J. Johnson, Monroe County .....	37.50
Fred J. Dion—Monroe County .....	612.50
W. P. Brown—Monroe County .....	1,075.00

#### PAYROLL FOR JULY 1940

Frank C. Pelot, Tallahassee—Salary as Clerk .....	\$ 150.00
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Helen Phillips, Tallahassee—Salary Clerk-Stenographer .....	100.00
Mary Evans Voss, Tallahassee—Salary as Verifier .....	46.61
Mary Ashmore, Tallahassee—Salary as Verifier .....	46.61
Ruthie Garrett, Tallahassee—Salary as Verifier .....	46.61
R. F. Vason, Tallahassee—Salary as Verifier.....	46.61
Jentye Dedge—Clerk-Stenographer—Part Time .....	25.00
M. O. Barco—Clerk-Stenographer—Part Time.....	25.00
	<hr/>
	\$5,878.95

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,  
Comptroller—Acting Chairman.

ATTEST:

F. C. ELLIOT  
Secretary.

Tallahassee, Florida,  
July 30, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.  
Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

Minutes of the Trustees dated June 25th and July 9th and 23rd, presented and approved.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Elliot presented protest raised by non-owner to issuance of deed in favor of W. H. Burwell and George L. Patterson of Dade County. Burwell and Patterson were high bidders at sale of land under Chapter 18296 and entered bid as former owners. Protesting party claimed applicants were not former owners but were misrepresenting facts. Investigation disclosed that deed was held by Burwell and Patterson but had not been recorded, hence did not show on county records at time of sale.

Mr. Elliot stated that photostat copy of deed had been furnished his office, verifying statement of Burwell and

Patterson, and he was convinced bidders were former owners.

Based upon above information, the Trustees approved bid and authorized deed executed and forwarded to the Clerk for delivery to W. H. Burwell and George L. Patterson.

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Mr. Elliot presented matter submitted by Thompson Realty Company, Jacksonville, in regard to corner of a building which extends over onto adjacent property and on which corner there is a tax sale certificate coming within the purview of Chapter 18296.

Description Involved: Pt. Lots 3 & 6 Reed  
D. Bk. 316-87 Paxons S. D. Pt. E. I. Hendricks  
Grant, Sec. 40, T.2 S., R. 26 E.

It appears that the property was subdivided into lots in 1921 and platted; that the Tax Assessor assessed according to a description conforming to the subdivision and plat; that subsequently tax sale certificates issued based upon the description under which the property was assessed. In 1928 the subdivision was re-formed and a store built on a part of the property, but the description on the assessment roll was not changed to conform with the new arrangement of the certificates. Subsequently when owners of the land on which the store had been erected attempted to clear up taxes under the Murphy Act prior to June 9, 1939, the certificates were taken up and the taxes cleared according to the old description.

According to statements by the Company and by the Clerk of the Circuit Court, the Company listed with the Clerk a description of the property and requested all certificates advertised. The Clerk undertook to do so and did advertise the land and the certificates, but through failure to correctly describe the property for assessment purposes under the subsequent re-formation of the subdivision, a small part of the property on which the store building stood escaped being cleared of taxes.

The Trustees were of the opinion that the tax sale certificate was outstanding by reason of an oversight or error in the office of the Clerk of the Circuit Court, coming down through failure to reform the description for assessment purposes by the tax assessor, and that the said strip should not have come to the State under Chapter 18296, Acts of 1937.

The Trustees further recommended to the Comptroller



that steps be taken to cancel the certificate, or so much thereof as is necessary to clear the situation.

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Letter was presented from the City Attorney, City of Sanford, in which request was made that the Trustees authorize removal of an old dilapidated building which the City of Sanford wishes to condemn and remove, or have cause shown why it should not be removed, not later than August 12, 1940. The property vested in the State under Chapter 18296.

The Trustees directed that Mr. Elliot advise the City of Sanford that it would be satisfactory to tear down and remove the building.

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Letters were presented from J. W. Campbell, Mayor of Palatka, and V. F. Grant, Commander U. S. N. (Ret.) Senior Aviator, U. S. Naval Air Station, requesting that the Trustees decline to accept bid of Albert S. Walton, former owner, for two parcels of land which vested in the State under Chapter 18296, desired in connection with construction of an airport at Palatka. Information was given that Mr. Walton had stated he would not convey the two parcels to the City if the bid was awarded to him by the Trustees. The City of Palatka offered to purchase the property and refund to Mr. Walton all costs and the amount of his bid.

It was the decision of the Trustees that since the parcels would be used in connection with construction of an airport that the bid of Mr. Walton be declined; that when sales are resumed the parcels be re-advertised and the City given an opportunity to acquire the land. Motion was made by Mr. Knott, seconded and approved, that such be done.

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Consideration was given to bid of Harold E. Jones, Trustee, as Receiver for Taft Drainage District, on behalf of which district the bid was made, and to acceptance of which former owner E. R. Hansen objected. Information was that Mr. Hansen was at the sale and refused to bid on this property; that he owes drainage district taxes on this and other property and refuses to pay; that this lot was unintentionally omitted when Taft Drainage District took up other property under the Murphy Act in order to protect their liens.

Description of land referred to: Lot 91, Prosper Colony, Plat Book D, Page 108, Section 34, Township 23 South, Range 29 East, Orange County.

The Trustees were of the opinion that under the circumstances the protest of former owner should not be

heeded, but that deed should issue to Mr. Jones as Trustee and Receiver for Taft Drainage District.

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Matter of acceptance of bids in Palm Beach and Putnam Counties was presented. The Secretary reported that approval had not as yet been given to bids from these two counties because of irregularities alleged in connection with bidding. It was suggested that all bids to which protests had not been raised be accepted, to which Judge Gibbs objected, stating he felt that an investigation should be made before proceeding further. Mr. Elliot then asked if the Trustees would approve all bids by former owners where no protests or irregularities existed.

The Trustees agreed to accept all former owner bids where no question of protest or irregularity had been raised.

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Request was presented from R. R. Saunders for correction deed made necessary because of imperfect description.

Attorney General Gibbs stated that the Trustees could not convey except in accordance with tax sale certificate and that deed as issued in the first instance was all that the Trustees could execute.

Discussion was had as to how the matter might be handled, but the Trustees declined to execute correction deed, it being suggested that it was a matter to be cleared up in the Courts. The land in question was located in Indian River County and came to the State under Chapter 18296.

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#### TRUSTEES MATTERS

Mr. Bayless presented certified copy of Resolution from the Board of County Commissioners of St. Lucie County requesting deed from the State in favor of the County to Lots 7 and 8 of Section 19, Township 35 South, Range 41 East, containing 72.58 acres on the east side of Indian River, opposite Fort Pierce, to be used for park purposes only.

The Trustees decision was that they had no authority to convey land as a gift and the request of St. Lucie County was therefore denied.

Request was submitted from A. T. Uzzell that the Trustees re-affirm action taken July 25, 1939 and allow him to purchase 6.75 acres of lake bottom land in Section 9, Township 41 South, Range 32 East, Glades County, at a price of \$25 an acre.

Motion was made seconded and adopted that Mr.

Uzzell be allowed to carry out the purchase of the lake bottom land above described at the price agreed upon in July 1939—\$25 an acre.

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Application was presented from B. Marion Reed of Tampa for permission to make a survey of Perdido, Escambia, Yellow and Suwannee Rivers to determine whether or not there are deposits of diatomite located in such rivers, and if so that he be granted a lease upon terms to be prescribed by the Trustees.

Motion was made seconded and adopted that consent be given to Mr. Reed to make examination of the areas described for diatomite deposits. Also that consideration be given to any application made by Mr. Reed should the investigation prove successful.

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Request was presented from Winder H. Surrency, Attorney of Sarasota, on behalf of Sarasota County, for 25 foot right of way easement across Lot 1 of Section 11, Township 40 South, Range 20 East, for road purposes.

The Trustees authorized right of way 25 feet wide through Lot 1, as above described, in favor of Sarasota County for public road purposes, easement to include reversion clause should the land not be used within a certain time.

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The Trustees deferred action pending investigation of application from B. B. Pinner, offering \$450 for approximately 4 acres of spoil area adjacent to Pinner's Island, being Lot 5 of Section 15, Township 44 South, Range 43 East, Palm Beach County.

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Motion was made seconded and adopted to deny application from D. E. Porter, St. Augustine, for ten-year lease permitting removal of mineral sand along the ocean in St. Johns County.

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Application was presented from Phillip O'Connell, West Palm Beach on behalf of A. C. Patterson, offering \$40 an acre for five acres of lake bottom land in Section 5, Township 43 South, Range 43 East, Palm Beach County.

Motion was made seconded and adopted to pass for investigation application of Mr. O'Connell.

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Motion was duly adopted to decline offer from E. M. Kee, Lorida, of ten cents an acre for grazing lease on the W $\frac{1}{2}$

of SE $\frac{1}{4}$  of Section 11, Township 35 South, Range 30 East, Highlands County, but it was agreed that lease be granted for one year with rental of 25 cents an acre.

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The Trustees declined offer of \$30 an acre from J. M. Gage, Lakeland, for 30.16 acres of State land in Section 10, Township 28 South, Range 23 East, Polk County.

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Application was presented from W. M. Berson, Blountstown, on behalf of C. D. Morris, to purchase standing dead cypress timber from Dead Lakes, with offers as follows for posts:

- 1- $\frac{1}{2}$  cents each for 6 foot posts
- 2 cents each for 8 foot posts
- 2- $\frac{1}{2}$  cents each for 10 foot posts
- 3 cents each for 12 foot posts

The diameter of the posts to be not more than 10 inches at the larger end.

It was ordered that the application of Mr. Berson be deferred for investigation and report.

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Letter was presented from Thos W. Butler, Sarasota on behalf of Marianne Lee, offering \$5 for quit claim of canal reservations contained in deed from the State conveying Lot 3 of Section 1, Township 37 South, Range 17 East—12.23 acres in Sarasota County.

Upon motion seconded and adopted, the Trustees authorized release of canal reservations in deed to Marianne Lee upon payment of \$5.

Letter was presented from J. U. Gillespie, New Smyrna, on behalf of J. T. Godfrey, offering \$300 for 6.8 acres of sovereignty land in Township 18 South, Range 34 East, Volusia County.

Upon motion seconded and adopted, the Trustees declined offer from Mr. Godfrey for the land applied for.

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Mr. Bayless reported that letter had been received from W. B. Granger in which he stated he was enclosing Lease No. 92 in favor of T. L. Bass together with Cashier's Check for \$1300; that the lease was received but the check was not. Upon investigation the check could not be located and in order to secure duplicate, the Trustees would be required to furnish bond twice the amount of the check with premium in amount of \$52.

Motion was made seconded and adopted that Mr.



Bayless have bond prepared and the Treasurer was requested to issue check in payment of premium.

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Mr. Bayless submitted letter from Attorneys of interested parties having reference to exchange of Sarasota County land, as per agreement of July 25, 1939 between the Trustees, the Vanderipe Estate, Maryland Land and Transportation Company, the County of Sarasota, and R. M. Cantey.

Request is now made that the land which the County is to receive from Maryland Land & Transportation Company be deeded to the Trustees and by that agency conveyed to the County, rather than from the Company to Sarasota County.

It was the opinion of the board that it would be advisable to let the transaction be as between the company and the county, and such was the action taken.

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Upon motion duly adopted, the Trustees adjourned.

Comptroller—Acting Chairman.  
J. M. LEE,

Attest: F. C. Elliot, Secretary.

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Tallahassee, Florida,  
August 7, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.  
Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Mr. Knott brought up the matter of giving consent to the Navy Department for use of certain lands in Broward County which had been leased May 8, 1939 to H. M. Forman under Lease No. 11. By letter from Mr. Forman, dated August 6th, it was agreeable to him and he recommended that the Trustees cancel his lease as to certain lands described in letter in order that the Trustees be in position to deal with the Navy Department direct, thereby making the land available to the United States for a practice landing field in connection with the Miami Naval Air Base. Mr. Forman requested option to have lease reinstated on above lands under same

terms and conditions now existing if use of the land should be discontinued by the United States.

Upon discussion of the subject, Mr. Mayo moved that H. M. Forman be released from his grazing lease and the said lease be cancelled as to the lands described. Motion seconded and unanimously adopted.

Thereupon, Mr. Mayo moved that the said lands be leased to the United States under the usual conditions, at a consideration of \$1 annually, the said land to be used by the Navy Department for whatever purpose it deemed necessary in its aviation operations. Motion seconded and adopted.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller-Acting Chairman.

Attest: F. C. Elliot, Secretary.

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Tallahassee, Florida,

August 10, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Minutes of the Trustees dated July 9th, 30th and August 7th, 1940, presented and approved.

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The Trustees had before them for consideration the matter of payment to Martin F. Burket for services rendered in connection with timber taken from Dead Lakes by Tidewater Red Cypress Company.

Motion was made by Attorney General Gibbs that Mr. Burket be paid \$175 in full settlement for any and all claims he might have against the Trustees in the matter of proposed sale of timber taken from Dead Lakes. Motion seconded and upon vote duly adopted.

Whereupon the following bill was approved and check ordered drawn in payment therefor:

Martin F. Burket, Tallahassee, Fla.

Full settlement for services rendered in connection with proposed sale of timber taken from

Dead Lakes by Tidewater Red Cypress Lumber  
Company .....\$175.00

Financial Statement for the month of July 1940 is as follows:

FINANCIAL STATEMENT FOR JULY 1940  
RECEIPT

Various Land sales .....	\$ 4,233.11
Land sales under Ch. 14717, Acts of 1931 .....	442.29
Farm lease .....	262.50
Sand, Shell & Gravel leases .....	614.27
Timber lease .....	1,287.00
Grazing leases .....	428.56
Quit claims to reservations in deeds .....	44.75
Redemption of tax certificates .....	302.98
Miscellaneous refunds .....	60.35
Water lease .....	7.50
Hunting lease .....	309.72
Total receipts during month .....	\$ 7,993.03
Balance on hand July 1, 1940 .....	153,435.96
	<u>\$161,428.99</u>
Less Disbursements .....	4,367.08
Balance July 31, 1940 .....	<u>\$157,061.91</u>

BALANCES IN BANKS JULY 31, 1940

The Atlantic National Bank, Jack- sonville, Fla. ....	\$125,798.73
The Florida National Bank, Jack- sonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	12,441.87
Total in Banks .....	<u>\$156,061.91</u>
Cash on hand .....	1,000.00
Total in banks and on hand .....	<u>\$157,061.91</u>

DISBURSEMENTS

Date	No.	In Favor of:	Amount
1940			
July 23,	11745	M. C. McIntosh .....	\$ 58.10
	11746	S. S. Savage .....	154.85
	11747	W. B. Granger .....	27.00
	11748	J. P. Hall, Sheriff .....	1.85
	11749	E. R. Bennett, C.C.C. ....	1.00

	11750	Clearwater Publishing Co.....	1.25
	11751	Palm Beach Publications.....	22.50
	11752	Fort Lauderdale News .....	14.25
	11753	Bd County Commrs., of Levy County .....	283.65
	11754	Thelma Willis Cottrell & Alice L. Willis .....	116.05
	11755	J. C. Adkins .....	116.06
	11756	Ben Herr .....	2,247.11
	11757	H. & W. B. Drew Co. ....	9.25
	11758	J. F. Cochran, Postmaster....	5.00
	11759	Postal Telegraph-Cable Co....	2.62
	11760	Western Union Telegraph Company .....	10.64
	11761	Southeastern Telephone Co....	5.20
	11762	J. R. McLeod, Sheriff .....	5.70
31,	11763	F. C. Elliot .....	400.00
	11764	F. E. Bayless .....	275.00
	11765	M. O. Barco .....	175.00
	11766	Jentye Dedge .....	175.00
	11767	H. L. Shearer .....	50.00
	11768	S. S. Savage .....	200.00

Total disbursements for July 1940.....\$4,367.08

#### ACCOUNT UNDER CHAPTER 18296

Balance	July 1, 1940 .....	\$ 23,978.89
Receipts	during month—L a n d .....	
Sales	.....	234,847.61
		<hr/>
		\$258,826.50
Less disbursements	.....	5,878.95

Balance on hand July 31, 1940.....\$252,947.55

#### BALANCE IN BANKS JULY 31, 1940

The Atlantic National Bank, Jack- sonville, Fla. ....	\$251,278.65
The Capital City Bank, Tallahas- see, Fla. ....	1,668.90

Total amount in banks .....\$252,947.55

#### DISBURSEMENTS

Date	No.	Favor of:	Amount
1940			
July 23,	53	Langley Bell, C.C.C. ....	\$ 91.48
	54	E. B. Leatherman, C.C.C. ....	1,100.44
	55	Ray E. Green, C.C.C. ....	1,174.72
	56	A. J. Thomas, C.C.C. ....	20.96



	57	A. J. Burnside, C.C.C. ....	135.80
	58	James E. Conner, C.C.C. ....	20.76
	59	Commercial Office Supply Co....	28.80
	60	Florida Office Equipment Co.....	2.00
	61	Capital Office Supply Co. ....	25.50
	62	M. K. Wilson .....	465.00
	63	John B. & Florene E. Calder.....	195.00
	64	Abraham L. Lewis .....	98.00
	65	Jacksonville Realty Invest- ments, Inc. ....	125.00
	66	T. H. Sompayrac .....	96.55
	67	Frank and Hilda Bullock .....	25.00
	68	Douglas Baker, C.C.C. ....	25.00
	69	Erwin T. Jun .....	37.50
	70	Lilly J. Johnson .....	37.50
	71	Fred J. Dion .....	612.50
	72	W. P. Brown .....	1,075.00
31,	73	Frank C. Pelot .....	150.00
	74	Helen Phillips .....	100.00
	75	Mary Voss .....	46.61
	76	Mary Ashmore .....	46.61
	77	Ruthie Garrett .....	46.61
	78	R. F. Vason .....	46.61
	79	Jentye Dedge .....	25.00
	80	M. O. Barco .....	25.00

Total disbursements for July 1940.....\$5,878.95

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller-Acting Chairman.

Attest: F. C. Elliot, Secretary.

Tallahassee, Florida,

August 13, 1940

The Trustees of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

Request was submitted from the State Road Depart-  
ment for perpetual easement covering right of way over :ov-

ereignty land in Highlands County, located on Lake Anoka, Lake Jackson, and Lake Grassy.

Motion was made seconded and adopted that the Trustees grant to the State Road Department perpetual easement for right of way purposes necessary in connection with State Road No. 8-A, Project 5070-SRD No. 408, which right of way is designated as follows:

That part of Lake Anoka and the submerged lands adjacent thereto located in the W $\frac{1}{2}$  of Section 27 and E $\frac{1}{2}$  of Section 28, Township 33 South, Range 28 East;

That part of Lake Jackson and the submerged lands adjacent thereto located in Section 36, Township 34 South, Range 28 East, and Sections 31 and 32, Township 34 South, Range 29 East; and

That part of Lake Grassy and the submerged lands adjacent thereto located in Sections 17 and 20, Township 37 South, Range 30 East.

Easement was ordered executed and transmitted to the State Road Department.

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Mr. Elliot reported that request had been made by Board of County Commissioners of Levy County for joint meeting with the Board of State Institutions and the Trustees of the Internal Improvement Fund, for considering application for establishment of a work camp on State lands in that county. The matter was considered several weeks ago but final action was deferred.

The action of the Trustees was to further defer action on account of insufficient funds at this time for establishing such camp.

Application was submitted from Lykes Brothers, offering twenty (20) cents an acre for five-year grazing lease on 174.53 acres of State land in Sections 27 and 34, Township 40 South, Range 32 East, Glades County.

Motion was made seconded and adopted to decline offer of twenty cents an acre for grazing lease applied for by Lykes Brothers, but it was agreed that a five year lease be allowed upon payment of twenty-five cents an acre annually.

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Action was taken to decline offer of \$5,500 from B. George Griffith of Miami, to purchase 832 acres of State land in Section 34, Township 51 South, Range 41 East, Dade County, Florida.

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Motion was made seconded and adopted to decline

offer of \$45 an acre from J. M. Gage, Lakeland, for 30.16 acres of State land in Section 10, Township 28 South, Range 23 East, Polk County.

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Application was presented from George Edward Holt of Miami, on behalf of client, to lease for fishing camp site certain mud flats South of Cape Florida. Offer of \$25 annually was made for five year lease.

Motion was made seconded and adopted to lease the parcel applied for to client of Mr. Holt, upon payment of \$25 annually, the lease to cover not in excess of one acre.

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Mr. Bayless submitted offer of \$1000 annually from Beacham & Gaulden, on behalf of Amphitrite Corp., Ft. Lauderdale, for two year lease on submerged area 100 feet wide by 600 feet long, lying adjacent to right of way and fill of the State Road Department on Las Olas Boulevard, being State Road No. 177 in the City of Fort Lauderdale. Information was that the Company operates a floating hotel at this location; that the State Road Department has no objection to the lease but will allow ingress and egress across its right of way.

Motion was made seconded and adopted to grant a two-year lease to Amphitrite Corporation for the area described upon payment of \$1000 annually.

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Mr. Bayless reported information received that a party by the name of Alfred Huss was paying the City of Ft. Lauderdale \$500 annually for use of fill area owned by the State.

The Trustees directed that Mr. Bayless make investigation of report and if correct notify occupant to secure lease from the Trustees.

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Request was submitted from Jerrold F. Jacobs, Lake Worth, representing Cornelia Woolley Bennett, that the Trustees refund \$70 over-payment on land located on Lake Osborne recently purchased with a group of sixteen.

Mr. Bayless stated that the area given was in error causing the difference in amount. Correct acreage should have been 5.8 acres at \$10 an acre and 4.4 acres at \$60 an acre as per agreement of March 21, 1940.

The Trustees directed that refund check in amount of \$70 be drawn in favor of Cornelia Woolley Bennett as re-

imbursement for over-payment on land purchase in Palm Beach County.

The Attorney General presented the matter of lease to the Navy Department of the United States of certain land released from the H. M. Forman lease, to be used as a landing and practice field in connection with the Naval Air Base. Perpetual lease having been requested, the Attorney General recommended that lease be given on a yearly basis with option to renew from year to year—payment to be \$1 annually.

Motion was made seconded and adopted that the suggestion of the Attorney General be approved and that lease be drawn for one year with option to renew as recommended.

Action was deferred on the proposed sale of submerged areas in Lake Worth to Neil A. Campbell, pending attendance of the full membership of the Trustees.

Offer of \$20,000 from Messrs. Wood, Hull and Kerr, for purchase of Palm Beach County property owned by the State in Section 23, Township 44 South, Range 36 East, was deferred pending a meeting at which at least four members of the Trustees can be present.

The following bills amounting to \$2,012.53 were approved and checks ordered drawn in payment thereof:

F. E. Bayless, Land Clerk .....	\$ 105.70
W. B. Granger, Belle Glade, Fla. ....	23.90
S. S. Savage, Field Agent, Ocala, Fla. ....	241.18
M. C. McIntosh, Asst. Atty. Gen., Tallahassee, Florida .....	12.00
<b>Paul V. Lang, C.C.C. Tallahassee, Fla.</b> .....	7.50
Thelma Willis Cottrell & Alice L. Wills, Levy Company .....	744.11
J. C. Adkins, Gainesville, Fla. ....	744.10
Everglades Insurance Agency, Pahokee, Fla.....	52.00
Miami Daily News, Miami, Fla.: (This check plus check dated 10-4-'40 for \$10.50 totaling \$14.25 pays bill in full) .....	3.75
H. & W. B. Drew Co., Jacksonville, Fla. ....	.85
Western Union, Tallahassee, Fla. ....	7.48
Postal Telegraph Cable Co., Tallahassee, Fla. ....	1.41
Southeastern Telephone Co., Tallahassee, Fla.....	34.25
W. Hiram Lawrence, Sheriff, West Palm Beach, Florida .....	34.30
	<hr/>
	\$2,012.53



## CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Discussion was had as to any changes that might be necessary in the rules and regulations governing sales under Chapter 18296 when sales are resumed.

Following are items discussed and agreed to by the Trustees:

1. That the method of handling sales with the Clerks of the Circuit Courts, as agents of the Trustees, be continued.

2. That advertisements appear in a newspaper in the section of the county where the land is located.

The Secretary recommended the following modifications to the present rules and regulations:

1. Allow 21 days between day of advertisement and date of sale.
2. In addition to newspaper notice post notice of sale on bulletin board at the Court House.
3. Certificates corresponding to lands sold to be retained by Clerks of the Circuit Courts.
4. Advertisement and posted notice to contain reservation for State Road right of way. Deed, to contain same reservation.
5. That no deed be executed by Trustees where the consideration is less than \$5.

Upon discussion of the several suggestions, motion was made by Mr. Mayo that the foregoing be adopted as the action of the Trustees, and that sale of lands under Chapter 18296 be resumed immediately. Motion seconded by Mr. Knott and upon vote adopted.

The Secretary was directed to immediately notify all Clerks of the Circuit Courts to resume accepting applications for sale of Murphy Act lands.

The following bills amounting to \$3,767.38 were approved and checks ordered drawn in payment therefor:

H. A. Pledger, C.C.C., Bay County .....	\$ 317.00
L. L. Currie, C.C.C., Dixie County .....	25.88
Sidney C. Edwards, C.C.C., LaFayette County .....	27.92
C. M. Gay, C.C.C., Orange County .....	41.44
J. R. Peacock, C.C.C., Sarasota County .....	417.72
C. B. Hayes, C.C.C., Union County .....	15.84
I. Walter Hawkins, C.C.C., Volusia County .....	1,303.08
F. C. Elliot, Tallahassee, Fla. Expenses .....	11.50
J. F. Cochran, Postmaster, Tallahassee, Fla. Stamped Envelopes .....	133.20
J. F. Cochran, Postmater, Tallahassee, Fla., Stamps .....	25.00

Capital Office Supply Company, Tallahassee, Florida .....	10.20
Commercial Office Supply Co., Tallahassee, Florida .....	21.60

## REFUNDS

Stanley Sinclair, Dade County .....	285.50
A. Welles Stump, Dade County .....	120.00
Miami Boulevard Corporation, Dade County .....	306.00
The Magnolia Company, Dade County .....	215.00
William Lewin, Dade County .....	31.00
Mrs. W. E. Parnell, Duval County .....	40.00
James R. Stockton, Duval County .....	25.00
Samuel Mensh and Rebecca Mensh, Indian River County .....	75.00
Rose Kremer Walton, Martin County .....	39.50
Nannie E. Robarts Murphy, Martin County .....	75.00
C. C. Townes, Highlands County .....	160.00
George Chadwick, Broward County .....	45.00

Total .....\$3,767.38

Upon motion duly adopted, the Trustees adjourned.

Attorney General-Acting Chairman.

George Couper Gibbs,

Attest: F. C. Elliot, Secretary.

Tallahassee, Florida,  
August 19, 1940

The Trustees of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Letter was presented from Mrs. Myrtle M. Culbreath, Clerk of the Circuit Court of Hillsborough County, acting as Agent for the Trustees, recommending that the Trustees allow a reduced base bid for advertising Lots 162 to 174, both inclusive, except Lot 166, Florida Garden Lands, which lots are covered by Certificate No. 17823 Sale of September 4, 1933. Information was given that the 1932 valuation was \$16 an acre and the 1939 valua-

tion \$6 an acre. The Clerk recommends that the base bid be allowed on the \$6 an acre valuation.

Motion was made seconded and adopted that the Trustees permit the former owner to submit a bid based on \$6 an acre valuation for advertising the 12 lots located in Florida Gardens Lands, Certificate No. 17823, Sale of September 4, 1933. The Secretary was requested to notify Mrs. Culbreath of action taken.

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Upon motion duly adopted, the Trustees adjourned.

George Couper Gibbs,

Attorney General-Acting Chairman.

Attest: F. C. Elliot, Secretary.

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Tallahassee, Florida,

August 27, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Comptroller at the Capitol.  
Present:

J. M. Lee, Comptroller.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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Minutes of the Trustees dated July 23, August 10th, 13th and 19th, 1940 presented and approved.

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Mr. Franklin West, Attorney of Milton, Florida, presented request from W. W. Harrison, Sr., that Diatomite Lease No. 93 recently executed in his favor, be cancelled and new lease embodying the same terms and conditions be granted in favor of his son, Francis A. Harrison. Also that cash bond accompanying Lease No. 93 be surrendered.

The Land Office reported that there was no reason why the request could not be granted, conditioned that Mr. W. W. Harrison furnish the Trustees with acquittal of all matters on his part under the lease.

Motion was seconded and adopted that Lease No. 93 be cancelled upon receipt of acquittal from W. W. Harrison. Also motion duly offered and adopted authorized the Trustees to execute lease in favor of Francis A. Harrison, covering the same territory included in Lease No. 93 and carrying the same terms and conditions, upon

payment of \$1100 back rental and furnishing of surety bond satisfactory to the Trustees.

The following bills were approved in amount of \$1,544.10 and checks were ordered drawn in payment thereof:

F. C. Elliot, Engineer and Secretary—August Salary .....	\$ 400.00
F. E. Bayless, Land Clerk .....	275.00
M. O. Barco, Clerk-Stenographer—August Salary .....	175.00
Jentye Dedge, Clerk-Stenographer—August Salary .....	175.00
H. L. Shearer, Part Time Clerk Land Office—August Salary .....	50.00
S. S. Savage, Field Agent—Expenses and August Salary .....	350.15
Cornelia Woolley Bennett, Lake Worth, Fla. ....	70.00
W. Z. Carson, C.C.C., Highlands County .....	1.25
The Clay County Crescent, Green Cove Springs, Florida .....	18.00
M. C. McIntosh, Asst. Atty. General—Expense account .....	27.75
George O. Butler, C.C.C. Palm Beach County .....	1.95
	<hr/>
	\$1,544.10

#### CHAPTER 18296, ACTS OF 1937

The following bills amounting to \$3,816.59 were approved and checks ordered drawn in payment therefor:

Frank C. Pelot, Clerk—August Salary .....	\$ 175.00
Helen Phillips, Clerk & Stenographer—August Salary .....	110.00
Mary Evans Voss, Verifier—August Salary .....	85.00
Mary Ashmore, Verifier—August Salary .....	85.00
Ruthie Garret, Verifier—August Salary .....	85.00
R. F. Vason, Verifier—August Salary .....	85.00
Jentye Dedge, Clerk & Stenographer Pt. Time—August Salary .....	25.00
M. O. Barco, Clerk & Stenographer Pt. Time—August Salary .....	25.00
A. C. Bridges, Clerk—August Salary .....	275.00
Juanita Williams, Clerk & Stenographer—August Salary .....	150.00
Capital Office Supply Company, Tallahassee .....	30.35
J. M. Lee, Comptroller, Tallahassee, Fla. ....	13.16
The Commercial Office Supply Co., Tallahassee ..	1.85
Burroughs Adding Machine Co., Jacksonville .....	2.50
Graybar Electric Company, Inc., Jacksonville .....	35.94



Esther Draughon, C.C.C., Lee County .....	264.16
William T. Hull, C.C.C., Hendry County .....	88.12
C. M. Gay, C.C.C., Orange County .....	298.56
George O. Butler, C.C.C., Palm Beach County .....	1,311.60
James R. Jackson, C.C.C., Taylor County .....	116.20

## REFUNDS

Miami Boulevard Corporation—Dade County.....\$	66.00
A. Welles Stump—Dade County .....	170.00
Clarence Manuel and Frances Manuel—Broward County .....	26.00
C. D. Wickersham—Broward County .....	91.00
Mary A. Collins—Martin .....	96.15
Nannie E. Roberts—Martin County (check can- celled) .....	75.00
Rose Kermer Walton—Martin County (check cancelled) .....	39.50
Mr. Earston H. Cash—Volusia County (can- celed) .....	50.00
Hoyt Armstrong—Washington County .....	105.00
	<hr/> \$3,816.59

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

Attest: F. C. Elliot, Secretary.

Tallahassee, Florida,  
August 31, 1940

The Trustees of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.  
Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

The Attorney General reported that the City of Palatka, through its Mayor, J. W. Campbell, by letter and verbally, had submitted to the Trustees substantially the following request:

That the Trustees reject bid of Albert S. Walton to purchase land in Section 3, Township 10 South, Range 26 East, Putnam County, as the parcel was very necessary in connection with the airport project of the City of Palatka in connection with National Defense Pro-

gram; that should the City be allowed to purchase the land under Section 9 of Chapter 18296, it will be conveyed to the United States for establishing an airport as above. The United States desires title with the least possible delay and the City of Palatka requests that the Trustees authorize its Agent in Putnam County to accept application of the City and advertise the land in pursuance of the regular rules adopted in reference to Murphy Act sales, except that the time required for holding sale after date of advertisement be reduced from the minimum of twenty-one days to a minimum of five days. In all other respects City to conform to the regular instructions of the Trustees relating to sale of such lands.

Attorney General Gibbs moved that the Trustees reject bid of Albert S. Walton for the above described land and that the request of the City of Palatka as set forth in the foregoing paragraph be granted with reference to advertisement and sale of the lands applied for.

The Secretary was directed to notify the Clerk of the Circuit Court of Putnam County, as Agent for the Trustees, to proceed according to action here taken.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

Attest: F. C. Elliot, Secretary.

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September 3, 1940

Tallahassee, Florida,

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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Minutes of the Trustees dated August 27th and 31st, 1940, presented and approved.

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Mr. Carl W. Hawkins of St. Augustine and Mr. Pepper of Miami, representing Model Land Company came before the Trustees and made application to exchange land

owned by them in Township 58 South, Range 38 East for certain State owned land described as follows:

W $\frac{1}{2}$  of Sections 3, 10 and 15; N $\frac{1}{2}$  and SE $\frac{1}{4}$  of Sec. 9; All of Section 16 (School Land); S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Sec. 17; Section 18; N $\frac{1}{2}$  of Section 19 and W $\frac{1}{2}$  of Section 20; all in Township 58 South, Range 39 East, Containing 3200 acres, more or less, in Dade County.

Mr. Hawkins explained that his company desired to block up their holdings in order to carry out proposed development.

Motion was made seconded and adopted to defer action at this time, and the matter was referred to Mr. Bayless for investigation and report.

Mr. Joe Wood of Pahokee requested that the Trustees take action on offer of \$20,000 heretofore submitted by himself and Messrs. Hull and Kerr, for land in Section 23, Township 44 South, Range 35 East, Palm Beach County. The matter was referred to W. B. Granger for report as to the value of the land.

Mr. Knott informed the board that he had talked with Mr. Granger and his information was that the land was worth \$50 an acre, subject to outstanding taxes. The Land Office had received no written report from Mr. Granger on the subject.

Motion was made seconded and adopted that the offer of \$20,000 for Section 23, Township 44 South, Range 35 East be declined, it being the opinion of the Trustees that the land was worth \$50 an acre subject to taxes outstanding.

Mr. Bayless submitted application from Ausley & Ausley, Attorneys of Tallahassee, representing Mrs. Florence L. Clark, requesting permission to build a bridge and roadway across the dry bed of Lake Immonia for connecting her property in Sections 19 and 24, Township 3 North, Range 1 East, and Township 3 North, Range 2 East, Leon County. Applicant agrees to construct the bridge and roadway in a manner satisfactory to the Trustees.

Upon discussion, motion was made seconded and adopted to grant permit to Mrs. Clark for constructing bridge and roadway across the dry bed of Lake Immonia, subject to four months cancellation clause and upon payment of \$10.

Motion was made seconded and adopted to decline offer from V. J. Chauvin of St. Augustine of five cents (5c) an

acre for grazing lease on 64.50 acres of State land in Section 31, Township 5 South, Range 29 East, St. Johns County.

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Application was submitted from L. Maxy of Frostproof, offering twenty-five cents (25c) an acre for ten year grazing lease on 506 acres of lake bottom land in Chaney Bay—Palm Beach County.

Mr. Bayless reported that the application covered the same tract as leased to G. V. Hudson, of the Chaney Bay Corporation, under Lease No. 18547 dated August 25, 1938, but that Mr. Maxy had purchased the holdings of Chaney Bay Corporation.

Motion was made seconded and adopted to lease the land applied for by Mr. Maxy at a price of twenty-five cents (25c) an acre for a period of three years.

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Motion was made seconded and adopted to decline offer of \$5 an acre from H. C. Lister of Wewahitchka for the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 3, Township 7 South, Range 9 West, Gulf County. A price of \$300 was agreed on as acceptable for the land.

Mr. Bayless reported that Richlands Inc., of Pahokee, had paid \$5000 of the \$10,000 yearly rental due May 1st on Lease No. 18284 and had requested that extension be granted to January 1, 1941 for the balance due.

Motion was made seconded and adopted that extension to January 1, 1941 be granted Richlands Inc., for balance of \$5000 due on Lease No. 18284.

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The Trustees declined offer of \$50 from L. W. A. Rivers of Lake City, for the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 1, Township 3 South, Range 16 East, Columbia County.

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Application was submitted from the Board of County Commissioners of St. Lucie County to purchase Lots 7 and 8 of Section 19, Township 35 South, Range 41 East, on the east side of the Indian River, the lots to be used as a public park. Offer of \$1 an acre was made for the land.

Motion was made seconded and adopted to decline offer from St. Lucie County for Lots 7 and 8 as above.

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The Trustees declined offer of ten cents (10c) an acre from G. W. Coward of Christmas, Florida, for grazing lease on State land in

SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 24, Township 22



South, Range 33 East—10 acres in Orange County.

Motion was made seconded and adopted to allow lease for one year on the land applied for upon payment of \$10.

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Motion was made seconded and adopted to decline offer of \$25 an acre from A. H. Hurst, Lorida, Florida, for two (2) acres of State land in Brevard County described as:

Lot 1 of Section 11, Township 30 South, Range 35 East, East of Arbuckle Creek.

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Action was deferred on application from Thos. H. Horobin, offering \$500 an acre for 5.34 acres of sovereignty land in

Section 3, Township 53 South, Range 42 East, Dade County, Florida.

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Application was presented from Thos. H. Horobin for corrective deed occasioned by errors in Trustees Deed No. 17275. Information was furnished by the Land Department that statements made by Mr. Horobin were true and it was in order for correction deed to be issued.

Motion was made seconded and adopted that request of Mr. Horobin for correction deed be granted, such deed to be made in favor of William Walker Conant, designated by Mr. Horobin as grantee.

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Motion was made seconded and adopted to decline offer of \$1500 from J. M. Gage, Lakeland, Florida, for 30.16 acres of land in Section 10, Township 28 South, Range 23 East, Polk County, located approximately one and one-half miles from Lakeland.

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An offer of \$100 an acre was submitted from J. U. Gillespie, New Smyrna, on behalf of J. T. Godfrey, to purchase 6.8 acres of sovereignty land in Township 18 South, Range 34 East, located on the Indian River about nine miles from New Smyrna. It was stated that the land adjoins upland property of Mr. Godfrey in Volusia County.

The Trustees accepted \$100 an acre, plus cost of advertising, for the land applied for by Mr. Godfrey, and directed that notice be published as required by law.

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Application was presented from J. L. McMullen, Live Oak, on behalf of the Future Farmers of America Organ-

ization of Branford High School, for donation or lease of 160 acres of State land in

Section 6, Township 6 South, Range 14 East, Suwannee County, the land to be used for educational purposes in connection with forestry work.

Action was referred on application from Mr. McMullen pending investigation and report.

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Upon motion duly adopted, the Trustees granted request from J. P. Oesterricher, Mims, Florida, for extension of one year from October 6, 1940, on sawgrass lease covering lands in Township 16 South, Range 29 East, Volusia County. Information was furnished that payments had been made by lessee amounting to \$99.26 based on \$1 per ton for all grass cut and removed.

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Application was presented from I. N. Willis, Jr., Miami, offering \$25 per month for 15 year lease on Conch Key, Monroe County.

Motion was made seconded and adopted to decline offer from Mr. Willis to lease Conch Key.

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The Trustees granted request from United States Engineer Office, Jacksonville, for release of reservations contained in original deeds from the State, conveying part of unsurveyed Sections 11 and 14, Township 43 South, Range 34 East, 18.55 acres, and 63.76 acres in Section 11, Township 43 South, Range 34 East, Hendry County.

Release of reservations was authorized upon payment of \$5.

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Mr. Elliot submitted application from the State Road Department requesting easement for borrow pit and drainage purposes over State land in Okeechobee County necessary in connection with overhead crossing on State Road No. 8—SRD No. 29—Project 5322.

Motion was made seconded and adopted to grant to the State Road Department an easement for borrow pit and drainage purposes over land designated as follows:

W $\frac{1}{2}$  of Government Lot 4, lying South of Florida East Coast Railway in Section 23, Township 37 South, Range 35 East, and that part of the E $\frac{1}{2}$  of Govt. Lot 4 lying South of the said East Coast Railway.

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Application was presented from Napoleon B. Broward Drainage District for permission to construct a ditch along

road right of way for the purpose of distributing water from North New River Canal at 20 Mile Bend onto lands lying to the southeast and southwest of such canal.

Upon consideration of the request, motion was made seconded and adopted to grant Broward Drainage District a right of way forty (40) feet wide as follows:

Along the East boundary of Section 32, Township 48 South, Range 39 East, as to that part lying south and west of North New River Canal. Also along the West boundary of Section 4, Township 49 South, Range 39 East, and along the east boundary of Section 32 of same township and range. All in Broward County.

The Trustees also agreed to grant right of way for the District to make use of reservations contained in deeds to private persons covering the following lands:

Sections 5, 8, 9, 17, 20, 21, 28, 29, and 33, Township 49 South, Range 39 East; and Section 33, Township 48 South, Range 39 East, Broward County.

the said right of ways to be granted to the District for drainage purposes only.

Request was presented from Florida Forest & Park Service for amending resolution adopted by the Trustees May 23rd, 1939, having reference to dedication of land in Highlands Hammock State Park, such amendment to consist of allowing use of proceeds from sale of lands to be applied in the acquisition of adjacent lands.

Upon discussion, motion was made seconded and carried that the amendment a requested be included in Resolution of May 23, 1939, which said Resolution with amendment was adopted to read as follows:

#### RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund by Resolution adopted April 18, 1934, as appearing on pages 676 and 677 of Volume 19, printed Minutes of the said Trustees, accepted as a gift certain lands located in Highlands County, Florida, and pursuant to the terms of the gift agreement as set forth on pages 678 to 681 of said Minutes, dedicated the said lands described therein as a State Park and authorized the State Board of Forestry to proceed with work in connection with said lands as a State Park, which said dedication, subject to the terms of the said resolution and said agreement, is hereby confirmed; and

WHEREAS, for the purpose of expanding and enlarging said State Park and for acquisition of additional lands, Chapters 17530, 17546 and 17551, Special Acts of the

Legislature of 1935, were enacted, and by virtue of said Acts certain lands were acquired by the Trustees of the Internal Improvement Fund for the purpose of forming a part of an enlarged park to be known as HIGHLANDS HAMMOCK STATE PARK, and in anticipation of the acquisition of additional lands, and conditioned upon the vesting of good and sufficient title thereto in the Trustees of the Internal Improvement Fund, the said Trustees did on December 21, 1936 adopt a resolution dedicating a certain area in Highlands County, Florida, as a part of Highlands Hammock State Park, which said area was described as follows:

1. The NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  and the W $\frac{1}{2}$  of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 35. Also the N $\frac{1}{2}$  and the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 34, all in Township 34 South, Range 28 East.
2. The SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 28 East.
3. Sections 28, 29 and 30, Township 34 South, Range 28 East.
4. Sections 20 and 21, Township 34 South, Range 28 East.
5. The E $\frac{1}{2}$  and the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 30, and Sections 31 and 32, Township 33 South, Range 28 East. Also Sections 6, 7, 8, and the S $\frac{1}{2}$  and the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 9, and Sections 17, 18 and the S $\frac{1}{2}$  and the NW $\frac{1}{4}$  of Section 16, and N $\frac{1}{2}$  of Sections 31 and 32, all in Township 34 South, Range 28 East; Also the S $\frac{1}{2}$  of Section 6 in Township 35 South, Range 28 East.
6. Section 19, Township 34 South, Range 28 East.
7. The SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 9, and the NE $\frac{1}{4}$  of Section 16, Township 34 South, Range 28 East.

and

WHEREAS, it has been found impracticable to acquire all of the lands composing the area dedicated by said Resolution of December 21, 1936, and that there remain unacquired areas lying between and separating parcels hitherto acquired from the area of the parks as dedicated by Trustees' Resolution of April 18, 1934, and it having been found impracticable by the Florida Forest and Park Service to administer, protect, improve and develop the isolated tracts hitherto acquired which are separated from



the park proper, and the said Forest and Park Service and the DeSoto Forest Park Association, a chartered non-profit association organized in the interest of and for furthering the park project, have each recommended that a beneficial disposition of the isolated lands for which the Trustees of the Internal Improvement Fund hold title, will be the sale of said lands and the application of the money received therefrom to the operation, maintenance and improvement of Highlands Hammock State Park and for exchange and acquisition of lands adjacent to said Park, and the said Trustees of the Internal Improvement Fund being likewise of the opinion that such sale and the application of funds therefrom and the exchange of lands will be to the best interest of the state park and that the Trustees have authority to execute deed or deeds and to make disposition of the funds for the purpose aforesaid, and to exchange lands for said purpose, now therefore,

BE IT RESOLVED:

1. That the dedication of land for state park purposes as set forth in resolution of the Trustees of the Internal Improvement Fund adopted December 21, 1936, as appearing on pages 253-255 of the printed Minutes of the said Trustees, Volume 20, is hereby withdrawn from dedication as a part of Highlands Hammock State Park.
2. That in lieu of the land dedicated by Resolution of December 21, 1936, the following lands, title to which is held by the Trustee of the Internal Improvement Fund, is hereby dedicated to be a part of said Highlands Hammock State Park, to be administered by the Florida Board of Forestry:

IN HARDEE COUNTY—

Sec. 36, Tp. 34 S., Rg. 27 E.: SE $\frac{1}{4}$  of NE $\frac{1}{4}$  and E $\frac{1}{2}$  of SE $\frac{1}{4}$ .

IN HIGHLAND COUNTY—

Tp. 34 S., Rg. 28 E.:

Section 31: N $\frac{1}{2}$  and that part of S $\frac{1}{2}$  lying North of the Public Road; In the S $\frac{1}{2}$ , all South of Public Road in SW $\frac{1}{4}$  and in the W $\frac{1}{4}$  of W $\frac{1}{2}$  of SE $\frac{1}{4}$ .

Section 32: All North of Public Road

Section 33: All North of Public Road

Tp. 35 S., Rg. 28 E.:

Section 6: S $\frac{1}{2}$  of NE $\frac{1}{4}$  and W $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and W $\frac{1}{2}$  and SE $\frac{1}{4}$

3. That pursuant to the recommendations of the Florida Board of Forestry and DeSoto State

Forest Park, a non-profit association, the lands hereinafter described are hereby made available:

- (a) For sale, conditioned that the proceeds thereof shall be applied under the direction of the Florida Board of Forestry to the maintenance, improvement and operation of said Highlands Hammock State Park, and the acquisition of lands adjacent thereto for inclusion therein.
- (b) For exchange for other lands suitable for park purposes adjacent to and to become a part of said park,

And with reference to both sale and exchange, that the same be with the approval and through the Trustees of the Internal Improvement Fund, and that the lands available for such disposition are as follows:

Tp. 33 S., Rg. 28 E.:

Section 30—The  $E\frac{1}{2}$  and the  $E\frac{1}{2}$  of the  $SW\frac{1}{4}$

Section 31—All

Section 32—All

Tp. 34 S., Rg. 28 E.:

Sections 6, 7, 8—All

Section 9— $S\frac{1}{2}$  and the  $E\frac{1}{2}$  of the  $NE\frac{1}{4}$  and  $S\frac{1}{2}$  of the  $NW\frac{1}{4}$  and the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$

Sections 17 and 18—All

Section 16— $S\frac{1}{2}$  and  $NW\frac{1}{4}$

Containing an aggregate area of 5,880 acres, more or less.

Consideration was given to request from the State Road Department, presented several weeks ago, for right of way through State land in the Pelican Bay area. Alternative location had been suggested along the foot of the Levee slope, the plan being to remove the muck from the proposed right of way and with suction dredge fill in with rock taken from the lake side of the Government Levee.

Motion was made seconded and adopted that easement be granted on State lands along the foot of the Levee slope as above designated, such easement to be subject to rights of the United States.

Financial statement for the month of August, 1940, is as follows:

#### RECEIPTS

Various land sales.....	\$ 377.70
Farm leases .....	4,347.87
Sand, shell and gravel leases .....	1,072.42
Gravel leases .....	84.66

Quit-claims to reservations in deeds	116.25
Land lease	75.00
Proceeds of FPMC coupons (Axel Jensen) (Entry No. 17839)	10.50
Saw grass lease	28.85
Total receipts during month	\$ 6,113.25
Balance on hand August 1, 1940	157,061.91
	<hr/>
	\$163,175.16
Less disbursements	3,731.63
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Balance August 31, 1940	\$159,443.53
<b>BALANCES IN BANKS AUGUST 31, 1940</b>	
The Atlantic National Bank, Jacksonville, Fla.	\$128,096.46
The Florida National Bank, Jacksonville, Fla.	17,821.31
The Capital City Bank, Tallahassee, Fla.	12,525.76
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Total in Banks	\$158,443.53
Cash on hand	1,000.00
	<hr/>
Total in banks and on hand	\$159,443.53

## DISBURSEMENTS

Date	No.	In Favor of	Amount
1940			
Aug. 10,	11769	Martin Burket	\$ 175.00
13,	11770	F. E. Bayless	105.70
	11771	W. B. Granger	23.90
	11772	S. S. Savage	241.18
	11773	M. C. McIntosh	12.00
	11774	Paul V. Lang, C. C. C.	7.50
	11775	Thelma Willis Cottrell & Alice L. Willis, as Admr., Etc.	744.11
	11776	J. C. Adkins	744.10
	11777	Everglades Insurance Agency	52.00
	11778	Miami Daily News	3.75
	11779	The H. & W. B. Drew Co.	.85
	11780	Western Union Telegraph Co.	7.48
	11781	Postal Telegraph-Cable Co.	1.41
	11782	Southeastern Telephone Co.	34.25
	11783	W. Hiram Lawrence, Sheriff	34.30
31,	11784	F. C. Elliot	400.00
	11785	F. E. Bayless	275.00
	11786	M. O. Barco	175.00
	11787	Jentye Dedge	175.00
	11788	H. L. Shearer	50.00

11789	S. S. Savage.....	350.15
11790	Cornelia Woolley Bennett.....	70.00
11791	W. Z. Carson, C. C. C.....	1.25
11792	Clay County Crescent.....	18.00
11793	M. C. McIntosh.....	27.75
11794	Geo. O. Butler, C. C. C.....	1.95

Total disbursements for August, 1940 \$3,731.63

#### ACCOUNT UNDER CHAPTER 18296

Balance August 1, 1940.....\$252,947.55

Receipts during month—land sales 104,291.05

\$357,238.60

Less disbursements.....7,583.97

Balance August 31, 1940.....\$349,654.63

#### BALANCES IN BANKS AUGUST 31, 1940

The Atlantic National Bank, Jacksonville, Fla. ....\$347,065.53

The Capital City Bank, Tallahassee Fla. ....2,589.10

Total amount in Banks.....\$349,654.63

#### DISBURSEMENTS

Date	No.	In Favor of	Amount
1940			
Aug. 13,	81	H. A. Pledger, C. C. C.....	\$ 317.00
	82	L. L. Currie, C. C. C.....	25.88
	83	Sidney C. Edwards, C. C. C.....	27.92
	84	C. M. Gay, C. C. C.....	41.44
	85	J. R. Peacock, C. C. C.....	417.72
	86	C. B. Hayes, C. C. C.....	15.84
	87	I. Walter Hawkins, C. C. C.....	303.08
	88	F. C. Elliot.....	11.50
	89	J. F. Cochran, Postmaster.....	133.20
	90	J. F. Cochran, Postmaster.....	25.00
	91	Capital Office Supply Co.....	10.20
	92	Commercial Office Supply Co.....	21.60
	93	Stanley Sinclair.....	285.50
	94	A. Welles Stump.....	120.00
	95	Miami Boulevard Corp.....	306.00
	96	The Magnolia Company.....	215.00
	97	William Lewis.....	31.00
	98	Mrs. W. C. Parnell.....	40.00
	99	James R. Stockton.....	25.00
	100	Samuel Mensh & Rebecca Mensh.....	75.00
	101	Rose Kremer Walton.....	39.50
	102	Nannie E. Robarts Murphy.....	75.00



	103	C. C. Townes.....	160.00
	104	George Chadwick .....	45.00
31,	105	Frank C. Pelot.....	175.00
	106	Helen Phillips.....	110.00
	107	Mary Evans Voss.....	85.00
	108	Mary Ashmore .....	85.00
	109	Ruthie Garrett .....	85.00
	110	R. F. Vason.....	85.00
	111	Jentye Dedge .....	25.00
	112	M. O. Barco .....	25.00
	113	A. C. Bridges.....	275.00
	114	Juanita Williams .....	150.00
	115	Capital Office Supply Co.....	30.35
	116	J. M. Lee, Comptroller.....	13.16
	117	Commercial Office Supply Co.....	1.85
	118	Burroughs Adding Machine Co....	2.50
	119	Graybar Electric Co., Inc.....	35.94
	120	Esther Draughon, C. C. C.....	264.16
	121	William T. Hull, C. C. C.....	88.12
	122	C. M. Gay, C. C. C.....	298.56
	123	Geo. O. Butler, C. C. C.....	1,311.60
	124	James R. Jackson, C. C. C.....	116.20
	125	Miami Boulevard Corporation....	66.00
	126	A. Welles Stump.....	170.00
	127	Clarence Manuel and Frances Manuel .....	26.00
	128	C. D. Wickersham.....	91.00
	129	Mary A. Collins.....	96.15
	130,	131 and 132—Cancelled.....	
	133	Hoyt Armstrong .....	105.00

Total disbursements for August, 1940 \$7,583.97

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Elliot reported that three parties had requested appointment to appear before the Trustees with reference to sale of Murphy Act lands as follows:

Mayor J. M. Bregar, Temple Terrace, Florida  
Herbert F. Fuller, for New Smyrna-DeLand  
Drainage District  
Hull, Landis & Whitehair, for City of New  
Smyrna Beach

The Trustees directed that the above parties be requested to submit in writing the matters about which they desired to appear before the board, after which they would be advised as to date of meeting.

The Secretary presented several deeds which had been

protested, or about which some question had arisen as follows:

Monroe County Deed No. 1 to Bernice C. Papy  
—Protested by Robert Pentland.

Seminole County Deed No. 12 to Herbert Reed  
—Protested by Castle Brewer.

Suwannee County Deed No. 4 to Martha W. Freeman—Protested by J. B. Long.

Washington County Deed No. 2 to Hoyt Armstrong—Protested by J. A. Douglas.

Leon County Deed No. 2 to Ruby Diamond—  
Attorney General desires further information as to whether former owner had opportunity to bid.

Upon consideration of the protests filed against the Monroe, Seminole and Suwannee County deeds, the Trustees were of the opinion that they had no merit, and directed that the deeds as drawn be executed and forwarded to the respective Clerks for delivery to grantees.

The Trustees directed that Washington County land be re-advertised on account of error on part of Clerk's office in reporting base bid and subsequent rejection by the Trustees of Hoyt Armstrong's bid as being insufficient.

With reference to Leon County deed, the Secretary was requested to secure information desired by the Attorney General—as to whether or not original owner had opportunity to bid or submit protest to sale in favor of Miss Ruby Diamond.

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No action was taken on recommendation that parties making protest to issuance of deed be required to reimburse original applicant for advertising cost and Clerk's fees in the event protest be allowed.

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Mr. Elliot presented request from the State Road Department for right of way easements across lands under Chapter 18296 where State roads now exist.

Motion was made seconded and adopted that easements for right of ways across lands where a State Road now exists be granted to the State Road Department in those counties where lists of certificates under Chapter 18296 have been furnished the Trustees.

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Motion was made seconded and adopted that the Comptroller be furnished with names of counties that have not furnished the Trustees with list of certificates under Chapter 182296, and that he be requested to write such Clerks to furnish lists as heretofore requested.

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Consideration was given to bid of Park Union, Inc., for

Palm Beach County land described as Tract 60, Ridgeway Beach, Pahokee, which the Board of Public Instruction of Palm Beach County desires to acquire for school purposes. Protest was filed by J. B. McDonald claiming ownership of the tract. The Secretary submitted information received from the Clerk's office in West Palm Beach, and from other sources, indicating that Mr. McDonald was not the former title owner of the land.

Motion was made seconded and adopted to deny protest of Mr. McDonald and accept bid of the Board of Public Instruction of Palm Beach County.

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida

September 17, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Comptroller.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

Minutes of the Trustees for September 3rd, 1940, approved.

#### CONSIDERATION OF LANDS UNDER CHAPTER 18296, ACTS OF 1937

W. I. Fullerton and Herbert F. Fuller of New Smyrna Beach, representing New Smyrna-DeLand Drainage District, requested that the Trustees waive certain rules adopted for sale of land under Chapter 18296 in order that the district might purchase approximately 11,000 acres of wild land at a nominal price in order to liquidate the district, which is now in bankruptcy proceedings. Information was given that the District was without funds and if newspaper advertisement could be eliminated and posted notice substituted it would save considerable money.

It was suggested by Mr. Knott that the newspaper notice carry the information that certain lands within the District

would be offered for sale on a certain date, with detailed description of the land to be posted at the Court House.

The Trustees advised Messrs. Fullerton and Fuller that the application would be taken up at an early date and the district of decision reached.

The Attorney General requested that certain information with reference to the bankruptcy proceedings be furnished his office for examination.

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Mayor J. M. Bregar of Temple Terrace appeared before the Trustees and requested minimum bid of \$250 for advertising approximately 1750 lots within the city limits of Temple Terrace. Also asked that modified advertisement be allowed by describing the entire tract on an acreage basis if possible, due to the prohibitive cost for advertising by lots.

Mr. Bregar was advised that the application would be given attention at an early date. He urged that action be taken at this meeting, informing the board that he was subject to call for duty in the United States Navy and desired to complete the matter before October first.

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The Trustees recessed to meet at 3:00 o'clock P. M.

Three o'clock, P. M.

The Trustees met pursuant to recessed meeting of the morning with the same members present.

Attorney General Gibbs brought up matter of minimum bid for advertising lots in Temple Terrace. Mr. Elliot explained that owing to the large number of lots it would be almost impossible to notify former owners, as the persons who had contracted to purchase could not be located or any connected with the real estate company selling the lots.

Discussion was had as to form of advertisement and it was agreed that a simple form of notice could be used rather than describe each lot separately.

Motion was made seconded and adopted that the Trustees agree to a minimum bid of \$250 by the city of Temple Terrace for the tract of land applied for, and that a simple advertisement be worked out by Mr. Elliot for giving notice as required by law.

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Request was submitted from Tampa Yacht Club that the Trustees deed to the Club without cost two lots which reverted to the State under Chapter 18296, statement being made that the land should not have been assessed.

It was the opinion of the Trustees that they had no



authority to deed lands without advertisement and sale as required by Chapter 18296 and according to rules adopted.

Request was submitted from the City of Arcadia to reduce base bid on approximately 2500 lots located within the City limits of Arcadia and allow the city to purchase such lots at a price of \$500 in the event no higher bid was made. It was stated that the City would be willing for any one to buy the lots if higher bids were received.

The Trustees were not willing to reduce the base bid to \$500 on lots with an assessed value in 1932 of \$91,540.00. However, it was agreed to allow base bid of \$2000 with special notice to be prepared by the Secretary for describing the land in more simple form than by lots.

Action was deferred on request from Charles A. Campbell, on behalf of Fellsmere Land Company, for base bid of \$392.50 for advertising lands in Indian River County located in Township 32 South, Range 36 East.

Upon recommendation of the Clerk of the Circuit Court of Pasco County, as Agent for the Trustees, it was agreed to accept the following owner bids:

Willzell Spaight \$20 bid on assessed value of \$200  
 Litha Dunson..... 5 bid on assessed value of 50  
 Port Richey Co.... 31 bid on assessed value of 200  
 explanation being made that the land was of very little value and the parties bidding were unable to pay more, and that no other bids were received for the property.

The following bills were approved amounting to \$4,-494.36 and the Treasurer directed to issue checks in payment thereof:

James A. Ellis Company, Jacksonville, Fla.....	\$ 10.00
Railway Express Agency, Tallahassee, Fla.....	.30
Capital Office Equipment Co., Tallahassee, Fla.....	247.75
Burroughs Adding Machine Co., Jacksonville, Fla. ....	35.85
Leon Electric Supply Co., Tallahassee, Fla.....	2.65
F. C. Elliot, Tallahassee, Fla.....	9.20
J. F. Cochran, Postmaster, Tallahassee, Fla.....	50.00
J. A. Burnett, C. C. C. Baker County.....	136.72
L. T. Ivey, C. C. C. Clay County.....	145.96
W. Z. Carson, C. C. C., Highlands County.....	587.68
Myrtle M. Culbreath, C. C. C., Hillsborough County .....	590.92
Paul V. Lang, C. C. C., Leon County.....	61.80
G. C. Burgess, C. C. C., Nassau County.....	362.84
J. L. Barber, C. C. C., Okeechobee County.....	60.04

J. L. Overstreet, C. C. C., Osceola County.....	447.12
G. H. Leonard, C. C. C., Santa Rosa County.....	73.56
Leonard R. Cox, C. C. C., Washington County.....	66.00
W. A. Williams, Jr., C. C. C., Putnam County.....	740.80
Ruth Garrett, 9 days salary @ \$85 per month.....	25.50
Mary Ashmore, 14 days salary @ \$85 per month.....	39.67
Tax Payers Credit Assn., Inc., Ft. Lauderdale— Refund .....	20.00
M. B. Harrison, Bradenton, Fla.—Refund.....	105.00
Jennie Zywicki, West Palm Beach—Refund.....	215.00
Marshall Wood, West Palm Beach—Refund.....	110.00
Baynard Adjustment Corp., Clearwater—Refund .....	350.00
	<hr/>
	\$4,494.36

### TRUSTEES MATTERS

July 9th, 1940, the Trustees accepted \$500 an acre, plus cost of advertising, for bulkhead and filled land applied for by Barbara Danielson and Marian D. McCormick, which adjoined upland property owned by them. The offer was accepted subject to advertisement for objections as required by law and the following Notice was published in the Miami Herald on August 13th, 20th, 27th and September 3rd and 10th, 1940:

Tallahassee, Florida, August 10th, 1940.

#### "NOTICE

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, September 17th, 1940, at Tallahassee, Florida, to consider the sale of the following described land in DADE County, Florida:

Starting at the norwest corner of Section 19, Township 53 South, Range 42 East, run South 2°06'03" East along the West line of said Section a distance of 1,346.28 feet; thence North 88°10'59" East, along the North line of Government Lots 4 and 5 of said Section 19, a distance of 2,662.96 feet to the northeast corner of Government Lot 5; thence North 88°18'41" East along the North line of Government Lot 8 of said Section 19 a distance of 1,726.38 feet to the point of Beginning of the area herein described;

From said point of beginning run thence South 0°58'36" West 176.03 feet to a point; thence South 25°32'15" West 398.98 feet to a point; thence South 34°05'01" West 645.96 feet to a point; thence South 52°23'32" West 357.23 feet to a point; thence South 71°59'29" West 297.58

feet to a point; thence North  $81^{\circ}17'52''$  West 495.71 feet to a point; thence South  $73^{\circ}39'50''$  West 302.20 feet to a point; thence South  $45^{\circ}48'25''$  West 502.10 feet to a point; thence South  $10^{\circ}19'49''$  West 401.51 feet to a point; thence South  $37^{\circ}44'48''$  West 196.02 feet to a point; thence South  $13^{\circ}07'35''$  West 605.22 feet to a point; thence North  $87^{\circ}54'07''$  East 280.00 feet to a point in the United States Harbor Line, as presently established on the West side of Biscayne Bay, which said last mentioned point is on the outside line of the existing concrete bulkhead along said United States Harbor Line and the waters of said Biscayne Bay; thence North  $00^{\circ}01'29''$  East along said Harbor Line and said outside line of said bulkhead 108.45 feet to point number twenty-six (26) in said Harbor Line; thence North  $48^{\circ}30'34''$  East along said Harbor Line and said outside line of said bulkhead 2233.37 feet to point number twenty (20) in said Harbor Line; thence North  $35^{\circ}01'00''$  East along said Harbor Line and said Outside line of said bulkhead 856.85 feet to point number eighteen (18) in said Harbor Line; thence North  $21^{\circ}48'47''$  East along said Harbor Line and said outside line of said bulkhead 553.87 feet to point number sixteen (16) in said Harbor Line; thence North  $01^{\circ}46'47''$  East along said Harbor Line and said outside line of said bulkhead 68.53 feet to a point; thence South  $88^{\circ}18'57''$  West 80 feet to the point of beginning. Containing 29 acres, more or less, Dade County, Florida.

The property above described being bounded Westwardly and Northwestwardly by the high-water mark of Biscayne Bay as the same existed prior to the time that the above described lands, or any of them, were filled in; Northwardly by the North line of said Government Lot 8; Eastwardly and Southeastwardly by the United States Harbor Line of Biscayne Bay as presently established on the West side of Biscayne Bay and in the waters thereof; and Southwardly by the North boundary line of Magnolia Park, according to plat thereof recorded in Plat Book 5, page 25 of the public records of Dade County, Florida.

This Notice is published in compliance with Section 1062 of the Revised General Statutes of Florida that any person or persons who may have objections to said sale may have an opportunity

to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

FRED P. CONE, Governor.

Attest: F. C. Elliot, Secretary.

No objections being filed or presented, the Trustees confirmed sale to applicants and deed was ordered issued.

In connection with above sale, Kent, Adair, Ashby & McNatt, Attorneys for Barbara Danielson and Marian McCormick, applied for release of statutory reservations retained by the State.

Motion was made seconded and adopted to release reservations applied for upon payment of \$15.

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Motion was made seconded and adopted to accept offer of \$2700 for approximately 1800 acres of land in Hillsborough County applied for by Wayne Thomas, which land reverted to the State under Chapter 14572, Acts of 1929, and is described as follows:

All Section 4, Township 27 South, Range 21 East, less ACL R/W; N $\frac{1}{2}$  and N $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 5 of Township 27 South, Range 21 East, Less ACL R/W; All Section 6; NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and N $\frac{1}{2}$  of NW $\frac{1}{4}$  and SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 7, Township 27 South, Range 21 East.

The above action was taken based on Resolution adopted by the Board of County Commissioners of Hillsborough County, assenting to sale of the above described land at the price offered.

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The Trustees accepted offer of \$896.03 from A. R. Richardson for land held by the Trustees under Everglades Drainage tax certificates 6, 7, 8, 18, 19 and 22. Sale of 7-2-28. The equity of the Trustees amounts to \$814.58.

Deeds were ordered issued upon payment of the amount bid.

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Motion was made seconded and adopted to authorize permit in favor of South Florida Conservancy District for construction of a dyke on State land in Section 10, and Unsurveyed Section 18, Township 43 South, Range 35 East, at the locaton recommended by the Engineer as being most feasible.

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Offer of \$500 an acre was presented from Thomas H. Horobin to purchase 5.34 acres of sovereignty land in Section 3, Township 53 South, Range 42 East, Dade



County. Statement was submitted from Mr. Horobin that he desired this tract in order to make exchange with H. L. Doherty Company for a roadway leading to his 31 acre tract acquired from the State some years ago.

Motion was made seconded and adopted to accept offer of \$500 an acre for the land applied for by Mr. Horobin, plus cost of advertising.

Application was submitted from Geo. W. Whitehurst of Fort Myers, Florida, offering 10 cents an acre for one year grazing lease on Sections 19, 20, 30 and 31, Township 46 South, Range 34 East, Hendry County.

Motion was made seconded and adopted, authorizing one year grazing lease on lands applied for by Mr. Whitehurst with payment at the rate of ten cents an acre.

Upon motion seconded and adopted, the Trustees declined offer of \$50 from A. E. Morgan for the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 4, Township 4 South, Range 8 East, Taylor County, the price being deemed too low.

Application was presented from W. M. Berson, Blountstown, on behalf of C. D. Morris, to purchase the standing dead cypress timber from Dead Lakes at the following prices:

- 1 $\frac{1}{2}$  Cents for 6 foot posts
- 2 Cents for 8 foot posts
- 2 $\frac{1}{2}$  Cents for 10 foot posts
- 3 Cents for 12 foot posts

The Trustees declined the offer submitted by Mr. Berson.

At the meeting held September 3rd, the Trustees deferred for investigation the application of J. L. McMullen, on behalf of Future Farmers of America Organization of Branford High School, for donation or lease of the W $\frac{1}{2}$  of NE $\frac{1}{4}$ , NW $\frac{1}{4}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 6, Township 6 South, Range 14 East, containing 160 acres in Suwannee County.

Upon consideration of information received, the Trustees agreed to grant Branford School Organization permission to use the above described tract for experimental forestry work, conditioned that any benefits or any timber grown would belong to the State. It was agreed that the tract be set aside under long term permit.

Motion was made seconded and adopted to defer action

on sale of Palm Beach County land to Neil A. Campbell, the board desiring at least four members to be present.

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Offer of fifteen (15) cents per cord was presented from Standard Cedar Company for dead cedar stumps and roots to be taken from State land in Townships 19 and 20, Range 16 East, Citrus County. Permit or lease to carry performance bond.

Motion was made seconded and adopted to decline offer of 15c per cord for the cedar material described, but it was agreed that a price of 25c per cord would be satisfactory to the Trustees.

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Motion was made seconded and adopted to decline offer from I. N. Willis of \$32.50 per month for fifteen year lease on Conch Key in Monroe County. It was agreed, however, to grant five-year lease of the Key upon payment of \$50 per month with all improvements to revert to the State upon expiration of lease.

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Upon consideration of application from J. P. Mores, Lake Harbor, Florida, the Trustees declined offer of \$250 cash for 8.64 acres of State land in Section 1, Township 44 South, Range 35 East, Palm Beach County.

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Motion was made seconded and adopted to decline offer of \$75 an acre from Elmore Cohen, on behalf of client V. N. Greer, for the

N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 34,  
Township 43 South, Range 35 East—5 acres in  
Palm Beach County, located along State Road  
No. 25, near Lake Harbor.

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Application was presented from L. W. Newby, Orlando, for permission to salvage treasure from the Suwannee River, with offer to pay one-eighth to the State for anything recovered.

Action was deferred on request from Mr. Newby, pending information as to what the treasure consisted of.

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Motion was made seconded and adopted to decline offer of \$2 an acre from Mrs. Mae Ashton Wilbanks, Sarasota, for 60 acres of submerged land adjoining her property in Section 28, Township 37 South, Range 18 East, Sarasota County.

The Trustees having declined offer of \$50 for a tract

of Columbia County land applied for by L. W. A. Rivers, Lake City, a bid of \$100 was made for the

NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 1, Township 3 South,  
Range 16 East, Columbia County, Florida.

Statement was made that the land was purchased March 26, 1889, from John Alexander Graham and had been in possession of the Rivers family since that time, with taxes paid from date of deed to the present time.

Motion was made seconded and adopted that the Trustees accept offer of \$100 from L. W. A. Rivers for the above described land, and deed was ordered issued.

The Trustees deferred action on offer of \$5 per thousand feet from J. W. Meyer, Trilby, Florida, for deadhead logs in the Withlacoochee River.

Mr. Bayless was requested to have examination made of the character and amount of timber and submit report to the board.

Request was presented from R. L. Braddock for assignment of lease in favor of J. H. Parker, in order that the area covered by lease might be placed under soil conservation quota available to Mr. Parker.

Motion was made seconded and adopted to decline request from Mr. Braddock owing to lease having been allowed conditioned upon certain improvements and experiments being carried out.

The Trustees declined offer of \$40 an acre from E. C. Patterson for land in Section 5, Township 43 South, Range 43 East, Palm Beach County, information having been received that the land is well located between two county roads, west of the Dixie Highway near Riveria.

Request was submitted from Frederick Van Roy, Crystal River, for refund of \$10 paid the Trustees for release of statutory reservations contained in deed from the State to him.

Motion was made seconded and adopted to decline request of Mr. Van Roy.

The following bills amounting to \$429.69 were approved and checks ordered drawn in payment thereof:

Western Union Telegraph Co., Tallahassee.....	\$ 4.36
Postal Telegraph-Cable Co., Tallahassee.....	1.48
Southeastern Telephone Co., Tallahassee.....	1.55
M. C. McIntosh, Asst. Atty. General—Expenses.....	10.10
W. B. Granger, West Palm Beach, Fla.....	15.25

F. E. Bayless, Jr., Land Clerk—Expenses.....	57.45
S. S. Savage, Field Agent, Ocala, Fla.—Expenses.....	271.00
Abstract Company of Sarasota, Sarasota, Fla.....	52.00
Capital City Publishing Co., Tallahassee.....	16.50
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	\$429.69

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida  
September 24, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Attorney General at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

The following bills amounting to \$1,296.00 were approved and checks ordered issued in payment thereof:

F. C. Elliot, Engineer and Secretary—Salary for Sept. ....	\$ 400.00
F. E. Bayless, Land Clerk—Salary for Sept.....	275.00
M. O. Barco, Clerk-Stenographer—Salary for Sept.....	175.00
Jentye Dedge, Clerk-Stenographer—Salary for Sept.....	175.00
H. L. Shearer, Clerk in Land Office Part Time—Salary for Sept.....	50.00
S. S. Savage, Field Agent.....	200.00
The Miami Herald, Miami, Fla.....	21.00
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	\$1,296.00

#### BILLS UNDER CHAPTER 18296

The following bills amounting to \$1,545.25 were approved and checks ordered issued in payment therefor:

Frank C. Pelot, Clerk—Sept. Salary .....	\$ 175.00
Helen Phillips, Clerk-Stenographer, Sept. Salary .....	110.00
Mary Evans Voss, Verifier—Sept. Salary.....	85.00
Jentye Dedge, Clerk-Stenographer—Sept. Salary, part time.....	25.00



M. O. Barco, Clerk-Stenographer, Sept. Salary, part time.....	25.00
Juanita Williams, Clerk - Stenographer — Sept. Salary .....	150.00
Clyde H. Sauls, C. C. C., Jefferson County.....	97.80
Hiram Faver, C. C. C., St. Johns County.....	253.80
Capital Office Supply Co., Tallahassee, Fla.....	.30
Burroughs Adding Machine Co., Jacksonville, Fla. ....	169.50
H. & W. B. Drew Co., Jacksonville, Fla.....	31.35
Ellis Moore & Maud C. Moore, Lake County— Refund .....	2.50
M. B. & Iva May Harrison, Manatee County— Refund .....	100.00
M. O. Wilson, Pinellas County—Refund.....	45.00
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	\$1,545.25

Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Engineer and Secretary.

Tallahassee, Florida

October 1, 1940.

The Trustees of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

Trustees' Minutes of the 17th and 24th of September,  
1940, presented and approved.

The Secretary presented letter from Major John Soule,  
Quartermaster, U. S. Army, Fourth Corps Area, request-  
ing change in Paragraph 12 of lease recently granted to the  
United States on approximately 480 acres of land in Dade  
County, Florida, for use as a Bombing Practice Range,  
such land being described as follows:

Sections 14, 15, 16, 17, 18, and the adjoining

South Half of Sections 7, 8, 9, 10 and 11, Township 52 South, Range 38 East.

Upon discussion the Trustees agreed to the change requested by the United States, whereupon Paragraph 12 was adopted as follows:

"12. It is agreed that the Lessor assumed no responsibility or liability in connection with the Government's use of the leased premises, and the Government will exercise all reasonable precautions against the setting or starting of fires in connection with the use of the premises for the purpose hereinabove mentioned."

The Lease as agreed upon was ordered executed and forwarded to Quartermaster Headquarters in Atlanta, Ga.

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Mr. Bayless reported that the United States Naval Reserve Aviation Base, Opalocka, Florida, had requested a change in lease recently granted allowing use of approximately 900 acres of State land in Broward County for aviation training operations. The change desired was that the Government have the privilege of leasing the land for the purpose designated from year to year at the option of the Government, the lease as drafted leaving renewal at the option of the Trustees. It was explained the hangars and shops might be located on the premises and unless the Government had the option of renewing lease, it would be impracticable to make these improvements.

Two of the three members present voted to grant request of the Navy Department for change in the lease, Attorney General Gibbs voting in the negative. Disposition was therefore deferred until the Governor could attend the meeting and cast his vote.

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The Trustees' attention was called to operation of timber lease in favor of T. T. Scott, covering Levy County land which vested in the State through foreclosure under Chapter 14572, Acts of 1929. The Secretary stated that at a recent meeting of the Board of Commissioners of State Institutions it was reported that lease on Levy County land was being violated and that undersize timber, dead timber and stumps were being removed. The Governor appointed a Committee composed of Comptroller Lee and Treasurer Knott to make investigation of the trespass. Pursuant to such action, the Committee submitted the following report:

"October 1, 1940.

Trustees of the Internal Improvement  
Fund of the State of Florida,  
Tallahassee, Florida.  
Gentlemen:

We, your Committee, appointed to investigate and report back to this board upon the subject of cutting timber by T. T. Scott under lease for timber made to him by this Board on the 12th day of March 1940, having made a preliminary investigation, find that the lease provides for the cutting within a period of one year from March 12, 1940, for saw mill, cross tie and other purposes, all of the standing timber 12 inches and up in diameter, 24 inches from the ground, situated and being in the County of Levy and State of Florida, and containing a number of sections and fractional sections, aggregating 20,000 acres approximately.

From such preliminary investigation we have reached the conclusion and recommend that this Board send its representative to look over said land and to determine whether or not the lessee is violating the conditions of such lease by the cutting of timber of smaller dimensions than that provided for in the lease. Upon receipt of the report of such investigation, this Board will take such further action in the premises as they may deem proper.

Respectfully submitted,

J. M. LEE  
W. V. KNOTT  
Committee."

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Motion was made seconded and carried that the report as submitted be adopted, and that the Field Agent be directed to proceed as early as practicable to make examination of the land for ascertaining whether or not the terms of the lease were being complied with. Also that Mr. T. T. Scott and the Board of County Commissioners of Levy County be notified of the proposed examination in order that they might have representatives present if desired.

The Secretary was requested to get in touch with Mr. Savage and make the necessary arrangements.

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The Governor having come into the board room, the request of the United States with reference to lease of

State land for Aviation Training and Operations was submitted to the Governor.

Whereupon, motion was made by Mr. Knott that the Trustees make the changes in the lease requested—that the United States have the privilege of leasing the land for the purpose designated from year to year at the option of the Government—Motion seconded by Mr. Lee and upon vote adopted, the Attorney General voting in the negative.

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### CONSIDERATION OF LAND UNDER CHAPTER 18296, ACTS OF 1937

The Trustees authorized execution of right of way easements in favor of the State Road Department over and across land vesting in the State under Chapter 18296, where a state road now exists. Easements to be granted upon application from the Road Department with description of the desired right of way.

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City of Sarasota Housing Authority submitted request that the Trustees agree to a base bid of \$150 for approximately 22½ acres of subdivision lots in the City of Sarasota, known as Orange Avenue Heights and Brusselars Subdivision, Section 18, Township 36 South, Range 18 East, Sarasota County, to be used to establish a negro housing project. Information was furnished by the Clerk of the Circuit Court that the property was located adjacent to a negro settlement and for that reason was not a desirable locality. He recommended that the Trustees agree to a minimum bid of \$150.

Discussion was had on the subject of the manner in which bids would be accepted—whether on the tract as a whole or on blocks or individual lots.

The Governor having been excused from the meeting, leaving a bare quorum, no action was taken.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida  
October 22, 1940.

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.



George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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Minutes of the Trustees dated October 1, 1940 approved.

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The Secretary presented for approval, Right of Way Easement deeds in favor of the United States covering parcels of land owned by the State and lands heretofore sold by the Trustees on which reservations were retained, which parcels are necessary in connection with Caloosahatchee River-Lake Okeechobee Drainage Areas.

The Trustees having heretofore authorized granting of such easements, motion was made seconded and adopted that the instruments be executed and transmitted to the War Department.

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Two offers were submitted for the purchase of Lots 11 and 12, Block "G" McLellan Park, Sarasota, Florida, as follows:

C. B. Pearson .....	\$275.00
A. P. Rice .....	222.75

The Secretary reported that the two lots described vested in the State through foreclosure of state and county tax certificates under Chapter 14572, Acts of 1929, with amount of decree in the case being \$200.39.

Motion was made seconded and adopted to accept offer of \$275 from C. B. Pearson for the two lots, purchaser to assume all outstanding taxes. Offer from A. P. Rice was rejected.

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Motion was made seconded and adopted to accept offer of \$150 submitted by A. C. Bailey, on behalf of J. E. Cochran, Sr., who formerly owned the property, for tracts 35 and 36, Section 20, Township 42 South, Range 37 East, Palm Beach County. The land came to the Trustees by virtue of Everglades Tax Certificate No. 973, Sale of August 5, 1929, Palm Beach County.

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Request was submitted from Everglades Drainage District that the Trustees of the Internal Improvement Fund adopt resolution authorizing the State Treasurer to deliver to the District certain Everglades Drainage District bonds which were deposited with the Trustees as security

for a loan of \$300,000 made to the District by the Trustees June 28, 1930.

Motion was made seconded and adopted that the matter be held for action by the full membership of the Trustees, and in the meantime that the Attorney General be requested to look into the subject and report his findings to the Board.

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Application was presented from G. G. Albritton, Sebring, Florida, for renewal of Grazing Lease No. 34 for a period of one year covering Lots 6 to 12, inclusive, in Section 15, Township 35 South, Range 30 East, Highlands County, at the same rental—25 cents an acre.

Motion was made seconded and adopted to renew grazing lease in favor of G. G. Albritton for a period of one year upon payment of twenty-five cents (25c) an acre.

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The Trustee declined offer of \$25 an acre from Garland M. Budd, Jr., on behalf of Chester Tingler of Florida Marine Service, for 3½ acres of submerged land known as Book Key, located approximately 900 feet off Over-Sea Highway R/W, such land being desired for blocking up and squaring his holdings in Section 16, Township 66 South, Range 32 East, Monroe County.

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Offer of \$100 an acre was presented from J. P. Mores, Lake Harbor, for the E½ of Lot 2 (Less East 2 Chains) of Section 1, Township 44 South, Range 35 East, containing 8.64 acres in Palm Beach County, located in the vicinity of Lake Harbor.

Motion was made seconded and adopted that the Trustees not sell the land at this time, but it was indicated that lease on the tract might be arranged.

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Application was submitted from Elmore Cohen, on behalf of W. N. Greer of South Bay, to purchase at a price of \$100 an acre

The N½ of SW¼ of SE¼ of Section 34, Township 43 South, Range 35 East—5 acres in Palm Beach County.  
located on State Road No. 25.

The Trustees were not inclined to make sale of the land applied for at this time, but it was agreed to grant lease if desired.

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Authorization was given for renewal of Lease No. 45 for a period of one year in favor of The North Shore Corporations, represented by John D. Pannill, upon payment of

\$25. The Lease carried supervisory power over a spoil area adjacent to property owned by the Company near Mayport, Florida.

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Application was submitted from W. E. Kirchoff, Jr., that his lease for removal of dead head timber from the Suwannee River include the right to search for treasures and for removal of rosin and other commodities, upon payment of 10% of gross recovery.

Motion was made seconded and adopted to grant request for removal of rosin upon payment of ten per cent of gross recovery, but the Trustees declined to include the search for treasures in the lease.

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Action was deferred on application from J. M. Griffin to purchase approximately one acre of lake bottom land in Section 11, Township 44 South, Range 36 East, Palm Beach County, located between Old State Dyke and State Road No. 25. Offer of \$75 an acre was submitted with information that Mr. Griffin owned the land up to the Dyke and desired the above area for access to the road.

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The Trustees referred to the Attorney General for examination and report, the request of Sarasota County that the Trustees take conveyance from the County of 80 acres of land in Section 20, Township 36 South, Range 20 East, to be conveyed to Maryland Land and Transportation Company, the company in turn to convey an equal number of acres to the Trustees for deeding to Sarasota County. It was explained that the exchange was desired in order to block holdings of Myakka River State Park and the County cannot make conveyance direct owing to the land having been deeded to it for public purposes only.

Question was also raised as to authority of the Board of County Commissioners of Sarasota County to convey property.

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Offer of \$1250 was presented from Brooks-Scanlon Corporation of Foley, Florida, for 280 acres of land in Sections 29 and 32, Township 2 South, Range 8 East Taylor County. Location of the land was given as being in the San Pedro Bay section about fifteen miles south of Madison.

Motion was made seconded and adopted to decline offer of \$1250 but it was agreed to accept \$5 an acre for the tract applied for.

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Motion was made seconded and adopted to decline offer of \$8 an acre from H. E. Harllee, Clerk of the Circuit

Court of Gilchrist County, for the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 29, Township 10 South, Range 16 East, Gilchrist County. Report from Field Agent shows 60,500 feet of timber on the tract.

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The Trustees declined offer of \$6.50 an acre from Dr. R. S. Wynn, Jacksonville, for Lot 2 of Section 23, Township 1 South, Range 27 East—39 acres in Duval County—the land having been appraised at a much higher value.

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Letter was presented from Slocum Naval Stores Company of Newark, N. J., offering to convey to the State a tract of land the company is abandoning, described as

SW $\frac{1}{4}$  of SE $\frac{1}{4}$  and E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 17, Township 24 South, Range 28 East, and E $\frac{1}{2}$  of SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of NW $\frac{1}{4}$  and S $\frac{1}{2}$  of SE $\frac{1}{2}$  of Section 31, Township 24 South, Range 27 East, containing 320 acres in Orange County.

Conveyance to be subject to outstanding taxes, if any.

Motion was made seconded and adopted that before taking action on the offer, the Land Clerk request information from the Clerk of the Circuit Court of Orange County as to amount of taxes outstanding; if any mortgages against the property, and such other information as might be of interest to the Trustees; that upon receipt of satisfactory information the Land Clerk notify the Slocum Naval Stores Company that the Trustees will accept the offer of the land.

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Offer of \$50 was presented from Leo Bonner, Okeechobee, to purchase Lots 3, 4, 5 of Section 26, Township 37 South, Range 33 East, containing 42.52 acres, located on the west bank of the Kissimmee River south of the road from Brighton to Okeechobee. Information was given that Mr. Bonner has occupied this land as a fishing camp for 16 years and has made several attempts to homestead the tract. Upon survey by the United States patent was issued to the State of Florida designating the lots as swamp.

Motion was made seconded and adopted to decline to sell the lots applied for by Mr. Bonner, but it was agreeable to issue lease for a reasonable price.

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Upon motion seconded and adopted, the Trustees agreed to renew Shell Lease No. 61 in favor of Bradenton Dredging Company for a period of One year from September 30, 1940, upon terms of ten cents (10c) per cubic yard for all shell removed.

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Mr. Bayless presented application from Holland, Bevis



and Hughes, of Bartow, representing M. C. Dopler, for grazing lease on 189.60 acres of State land in the W $\frac{1}{2}$  of Section 2, Township 36 South, Range 31 East, Highlands County, with offer of 15 cents an acre.

Motion was made seconded and adopted to decline offer of 15 cents an acre for lease, but it was agreeable to issue lease for a period of one year upon payment of 25 cents an acre covering the land described.

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Action was deferred on application from Emil Zwicky, offering \$100 an acre for the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 5, Township 44 South, Range 36 East—Palm Beach County.

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Motion was made seconded and adopted to decline offer of \$100 an acre from Charles B. Cleveland, Miami Beach, on behalf of John L. Patten, for approximately 24 acres of spoil area in Dumfoundling Bay, in the north end of Dade County.

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Application was presented from Douglas Arnest, Sarasota, on behalf of William E. Smith, offering \$50 for 0.42 of an acre of submerged land adjacent to his upland property in Section 1, Township 37 South, Range 17 East, Sarasota County.

Upon motion seconded and adopted, the Trustees accepted offer from Mr. Smith for the land applied for.

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Offer of \$8 an acre was submitted from W. P. Shelley, Tallahassee, for the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, Township 4 South, Range 2 East, Wakulla County. Also offer of \$7 an acre was presented from W. L. Towns of the Fish and Wild Life Service, U. S. Department of Interior, Atlanta, Georgia.

Mr. Bayless reported that a field examination estimated the timber at 43,000 feet.

It was suggested that the Land Clerk ascertain from Mr. Shelley what he would offer for the timber on the tract, and that the same inquiry be made of Mr. Towns as to offer the Department of the Interior would make for the land, allowing a certain time for removal of timber by the Trustees.

The suggestion was adopted as the action of the Trustees.

Mr. Bayless reported that pursuant to action of the Trustees September 17th he had notified I. N. Willis and R. E. Jacques, two parties making application to lease Conch Key, and had received reply from Mr. R. E. Jacques of Miami, agreeing to pay \$50 per month as

rental on the Key for five year lease, and to spend approximately \$12,000 in improvements, consisting of fill, grading, construction of 40 cabins, restaurant, cocktail lounge, service station, two 38-foot cabin charter boats, and 15 small fishing boats.

Motion was made seconded and adopted to lease Conch Key for a period of five years with rental of \$50 monthly, it being understood that the agreements in the foregoing paragraph be fulfilled and all improvements on the land to become the property of the State at expiration of the lease.

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Mr. Bayless reported that notice had been given of outstanding individual tax certificate held by Clifford Lucky on the S $\frac{1}{2}$  of Section 4; E $\frac{1}{2}$  of Section 8, and All of Section 10, Township 45 South, Range 33 East, Hendry County, which land was reconveyed to the State without necessity of foreclosure. Amount necessary to redeem, \$61.97.

Motion was made seconded and adopted that check be issued in the amount of \$61.97 and transmitted to the Clerk of the Circuit Court of Hendry County to be used in redeeming the above described land from tax certificate held by Clifford Lucky.

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Pursuant to action of the Trustees September 3rd, having reference to request from Model Land Company for exchange of land with the State, Mr. Bayless reported that on account of the land being covered by water, owing to excess rains, he was able to make only a superficial examination of land in Township 58 South, Range 38 East, Dade County, owned by Model Land Company; that the land is located about 8 or 9 miles southwest of Florida City, from 1 $\frac{1}{2}$  to 4 $\frac{1}{2}$  miles off Ingraham Highway; that the land owned by the State in Township 58 South, Range 39 East, lies adjacent to or near State Road 4-A—the Highway between Homestead and Key City—about 4 miles southeast of Florida City.

Upon consideration of the report, motion was made seconded and adopted that the Trustees decline to make exchange of land requested by Model Land Company.

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Report was presented from F. E. Bayless, Land Clerk, on application from B. B. Pinner, Lake Worth, to purchase at a price of \$150 an acre a submerged area adjacent to his island in Lake Worth, being Lot 5 of Section 15, Township 44 South, Range 43 East, Palm Beach County. It was stated that the parcel applied for came into existence through dredging operations by the Federal Government

in depositing fill on the north and east side of the island, and Mr. Pinner desired to perfect his title to the island by acquiring this 4 acre parcel.

Motion was made seconded and adopted to accept offer of \$150 for submerged area applied for by Mr. Pinner, plus cost of advertising.

Application was presented from M. A. Rosen, Arcadia, on behalf of Parker Brothers, to lease for grazing purposes Sections 1 and 2 of Township 38 South, Range 34 East, lying east of the Government Dyke in Okeechobee County. Information was given that the land applied for comprises approximately 1100 acres and an offer of 15 cents an acre was made for the lease.

Motion was made seconded and adopted to accept 15 cents an acre for one year lease on State land applied for by Parker Brothers.

Commissioner Mayo suggested that the Land Department work out a schedule whereby all leases will expire on the same date and be renewed at the same time; that the leases now outstanding be pro-rated in order that they expire on a certain date.

The Trustees requested Mr. Bayless to look into the matter and report to the Board as soon as possible.

The following bills amounting to \$653.12 were approved and checks ordered drawn in payment thereof:

Southeastern Telephone Co., Tallahassee, Fla.	\$ 9.53
Postal Telegraph-Cable Co., Tallahassee, Fla.	.74
Western Union, Tallahassee, Fla.	3.77
S. S. Savage, Ocala, Fla.	254.68
The Palm Beach Post, West Palm Beach, Fla.	284.25
Railway Express Agency, Tallahassee, Fla.	1.25
W. B. Granger, Belle Glade, Fla.	14.75
The Miami Herald, Miami, Fla.	6.00
F. E. Bayless, Jr., Tallahassee, Fla.	78.15
	<hr/>
	\$653.12

Financial Statement for the month of September, 1940, is as follows:

#### FINANCIAL STATEMENT FOR SEPTEMBER, 1940 RECEIPTS

Various land sales	\$ 12,054.24
Land lease	15.00
Sand shell and gravel leases	349.72
Mineral lease	26.25

Fishing camp site lease .....	18.75
Quit-claim to reservations in Deed 18576 .....	11.25
Refund of deposit cost in case of Trustees I. I. Fund vs. Charlie Moore (Leon County) .....	1.35
Refund on account overpayment to Clerk Circuit Court of Palm Beach County .....	7.40
Refund by John L. Patten for ad- vertising .....	15.00
Reimbursement on account of adver- tising lands in Dade County .....	27.00
Sale of Minutes (3 volumes) .....	3.00

Total receipts during month .....	\$ 12,528.96
Balance on hand September 1, 1940 .....	159,443.53

	\$171,972.49
Less disbursements .....	1,725.69
Balance September 30, 1940 .....	\$170,246.80

#### BALANCES IN BANKS SEPTEMBER 30, 1940

The Atlantic National Bank, Jack- sonville, Fla. ....	\$138,719.97
The Florida National Bank, Jack- sonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	12,705.52

Total in banks .....	\$169,246.80
Cash on hand .....	1,000.00

Total in Banks and on hand .....	\$170,246.80
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#### DISBURSEMENTS

Date	No.	In Favor of:	Amount
1940			
Sept. 18,	11795	Western Union Telegraph Co. \$	4.36
	11796	Postal Telegraph-Cable Co. ....	1.48
	11797	Southeastern Telephone Co. ....	1.55
	11798	M. C. McIntosh .....	10.10
	11799	W. B. Granger .....	15.25
	11800	F. E. Bayless Jr. ....	57.45
	11801	S. S. Savage .....	271.00
	11802	Abstract Company of Sarasota .....	52.00
	11803	Capital City Publishing Co. ....	16.50
30,	11804	F. C. Elliot .....	400.00
	11805	F. E. Bayless .....	275.00
	11806	M. O. Barco .....	175.00
	11807	Jentye Dedge .....	175.00



11808	H. L. Shearer .....	50.00
11809	S. S. Savage .....	200.00
11810	The Miami Herald .....	21.00

Total disbursements for September,  
1940 ..... \$1,725.69

#### ACCOUNT UNDER CHARTER 18296

Balance September 1, 1940 ..... \$ 349,654.63  
Receipts during month—land sales.. 46,924.36

\$396,578.99

Less disbursements ..... 6,039.61

Balance September 30, 1940 ..... \$390,539.38

#### BALANCES IN BANKS SEPTEMBER 30, 1940

The Atlantic National Bank, Jack-  
sonville, Fla. .... \$387,779.21

The Capital City Bank, Tallahassee,  
Fla. .... 2,760.17

Total amount in Banks ..... \$390,539.38

#### DISBURSEMENTS

Date 1940	No.	In Favor of:	Amount
Sept. 18,	134	James A. Ellis Company .....	\$ 10.00
	135	Railway Express Agency .....	.30
	136	Capital Office Equipment Co. ....	247.75
	137	Burroughs Adding Machine Co. ....	35.85
	138	Leon Electric Supply Co. ....	2.65
	139	F. C. Elliot .....	9.20
	140	J. F. Cochran, P. M. ....	50.00
	141	J. A. Burnett, C. C. C. ....	136.72
	142	L. T. Ivey, C. C. C. ....	145.96
	143	W. Z. Carson, C. C. C. ....	587.68
	144	Myrtle M. Culbreath, C. C. C. ....	590.92
	145	Paul V. Lang, C. C. C. ....	61.80
	146	G. C. Burgess, C. C. C. ....	362.84
	147	J. L. Barber, C. C. C. ....	60.04
	148	J. L. Overstreet, C. C. C. ....	447.12
	149	G. H. Leonard, C. C. C. ....	73.56
	150	Leonard R. Cox, C. C. C. ....	66.00
	151	W. A. Williams, Jr., C. C. C. ....	740.80
	152	Ruth Garrett .....	25.50
	153	Mary Ashmore .....	39.69
	154	Jennie Zywicki .....	215.00
	155	Tax Payers Credit Assoc., Inc. ....	20.00
	156	M. B. Harrison .....	105.00
	157	Marshall Wood .....	110.00

	158	Raymond Adjustment Corp. ....	350.00
30,	159	Frank C. Pelot .....	175.00
	160	Helen Phillips .....	110.00
	161	Mary Evans Voss .....	85.00
	162	Jentye Dedge .....	25.00
	163	M. O. Barco .....	25.00
	164	A. C. Bridges .....	275.00
	165	Juanita Williams .....	150.00
	166	Clyde H. Sauls, C. C. C. ....	97.80
	167	Hiram Faver, C. C. C. ....	253.80
	168	Capital Office Supply Co. ....	30
	169	Burroughs Adding Machine Co. ...	169.50
	170	The H. & W. B. Drew Co. ....	31.35
	171	Ellis Moore and Maude C. Moore ..	2.50
	172	M. B. and Iva May Harrison .....	100.00
	173	M. O. Wilson .....	45.00

Total disbursements for Sept., 1940 ..... \$6,039.61

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Secretary presented letter from Major Rupert Smith, Florida National Guard, requesting that the Trustees grant to the State Road Department a right of way easement for state road being constructed providing new entrance for access to Camp Albert H. Blanding, such camp being located on Kingsley Lake near Starke, Florida. Right of Way requested is for 200 feet through the following described land which vested in the State under Chapter 18296:

In the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 20, Township 6 South, Range 23 East, Clay County.

Motion was made seconded and adopted to grant easement to the State Road Department across lands described for the purpose of State roads into Camp-Blanding.

Request was presented from the State Road Department for right of way easements across land which came to the State under Chapter 18296, in the following counties:

Baker  
Brevard  
Martin  
Volusia.

Motion was made seconded and adopted to grant easements requested covering right of ways of existing state highways.

Mr. Elliot submitted request from the City of Titusville for permission to remove scattering timber from lands

bordering the Airport, the trees having been declared a menace to landing and taking off of planes. The Clerk of the Circuit Court recommended that the request be granted and submitted an offer of \$25 cash for the merchantable timber estimated at 5000 feet.

The Trustees accepted offer of \$25 for the timber and authorized the Clerk of the Circuit Court to allow removal of the trees from the lands bordering the airport.

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Request was presented from New Smyrna-DeLand Drainage District, that the Trustees allow reduction in the base bid for advertising certain land within the limits of the district on which drainage taxes have accumulated for a number of years.

The matter was referred to the Attorney General for investigation and report before final disposition.

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Mr. J. Velma Keen, Tallahassee, appeared before the Trustees on behalf of the Housing Authority of the City of Sarasota, and urged acceptance of \$150 as base bid for advertising approximately 22½ acres of land in the edge of Sarasota on which property it is proposed to establish a negro housing project. Information was given that City and Sub-drainage district taxes amounted to approximately \$4,600; that taxes have not been paid nor any improvements placed on the land for 15 years; that the tract will never be developed for any other purpose as it adjoins the present negro section. The lands applied for are described as follows:

Lots in Orange Heights, being a S/D of Lots 1, 3, 5, Brusselar's S/D of SW¼ of NE¼ and NW¼ of SE¼ of Section 18, Township 36 South, Range 18 East, and

Lots 2, 4, 6, Brusselar's S/D of SW¼ of NE¼ and NW¼ of SE¼ of Section 18, Township 36 South, Range 18 East.

Upon discussion, motion was made seconded and adopted that the Trustees allow advertisement of the lands applied for by the Housing Authority of Sarasota, based on a minimum bid of \$150—advertisement and sale in all other respects to follow usual procedure.

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Senator John R. Beacham came before the Trustees on behalf of A. W. McDougald and requested that deed be not issued to Harry Klein who bid on land formerly owned by Mr. McDougald. It was stated that Mr. McDougald was present at the sale prepared to bid on Tract 53, West Trail Park, Palm Beach County, but never heard the land

offered for bids. Later he was informed that the tract had been sold to Harry Klein. Request is now made that Mr. Klein's bid be rejected and another sale held in order that former owner might have an opportunity to bid.

Information was given by the Secretary that this case was now in process of adjustment and would probably be settled to the satisfaction of both parties.

Action was withheld pending outcome of negotiations between the Secretary's office and the Clerk of the Circuit Court of Palm Beach County.

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Senator John R. Beacham presented request from Palm Beach Gas Company that the Trustees reject bid of Harry Klein in amount of \$90 and allow the land to be readvertised and sold in order that his company have opportunity to bid, representation being made that the tract adjoined the company's holdings and was needed in its expansion program. Mr. Beacham agreed on behalf of the Gas Company to bid not less than \$400 should the Trustees agree to readvertise and offer the land for sale.

Upon discussion of the subject, the Attorney General advised that it would be necessary for information to be presented to the Trustees that the value of the land was more than amount bid, or some other reason or ground that would be recognized by law. Whereupon, motion was made seconded and adopted that the matter be held for the full membership to be present and to allow Senator Beacham time to submit evidence as to value of the property, or any other information that could properly be regarded as a basis for considering objection filed by the Gas Company.

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The Secretary submitted the case of P. B. Revels and Roy Germany, bidders on a number of lots in Putnam County, and stated that objections had been filed to the sale of three parcels; that Revels and Germany had agreed to eliminate the protested parcels from their bid, or if decided to them they would sell to parties occupying the property. Information was furnished that former owners had not paid taxes for years but were still collecting rent on the land as owners.

Upon discussion, the Trustees agreed to hold the matter over for the full membership to be present.

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Consideration was given to protests submitted by Carroll Dunscombe to sale of Martin County land to Mrs. Mary A. Collins. Statement was made that Dunscombe was former owner of the land described as



E $\frac{1}{2}$  of NE $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 9, Township  
38 South, Range 41 East, 20 acres.

Both parties bid at sale but Mrs. Collins was the high bidder, Mr. Dunscombe being of the opinion that he would be allowed to meet the highest bid and later depositing such amount with the Clerk.

Motion was made seconded and adopted to reject both bids and return amounts bid, leaving the land open for readvertisement and sale.

The Secretary presented letter from W. Z. Carson, Clerk of the Circuit Court of Highlands County, advising that upon application of the following parties accompanied by bids he had advertised a number of abandoned boom time subdivisions at a lower base bid than one-fourth of the 1932 assessed value:

Austin Pearce and J. C.

Pearce .....	162 acres—	Bid \$ 38.00
Jack H. Powers .....	115 acres—	Bid 28.75
Lake Farms Company .....	619 acres—	Bid 154.75
City of Sebring .....	800 acres—	Bid 100.00

Detailed report was made by the Clerk giving location of the various parcels and recommending that the bids be accepted.

Statement was made that the area applied for by the town of Sebring was desired as an airport site desired in connection with the national defense program of the Federal Government.

Upon consideration, the Trustees declined all bids and directed that the Secretary so notify the Clerk.

Mr. Elliot requested that the Trustees refer to the Attorney General for opinion, the question with reference to the time permitted for payment of taxes where an individual had complied in part with Chapters 16252 and 17400, known as the Futch Act and amendment thereto, but had not completed tax payments for either of the periods specified in the above Chapters.

Motion was made seconded and adopted to refer to the Attorney General the matter of tax payments under the Futch Act and Amendment as outlined by the Secretary.

The bid of the Town of Boca Raton was presented, as lien-holder on several hundred lots title to which vested in the State under Chapter 18296. Bids totaling \$2,678.85 were found to be less than 25% of the 1932 assessed value, but information from the Clerk stated that the values were assessed on lots when it should have been on an acreage

basis, the property being wild unimproved tracts but subdivided during the boom.

Motion was made seconded and adopted to accept bids of the town of Boca Raton.

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Request was submitted from the town of New Smyrna Beach, represented by Attorneys Hull, Landis and Whitehair, that the Trustees allow reduction in base bid on Lots 3 to 20, inclusive, Block E, Sams Estates of New Smyrna. Information was furnished that the City had placed improvements on the property amounting to approximately \$101,000 including a new Library and Cultural Center Building and Recreational Facilities for the public; that the City foreclosed delinquent taxes on this and other property and paid up State and County taxes under the Murphy Act prior to June, 1939, on what they thought included the lots in question, but later found had been omitted.

Upon discussion of the facts presented, the Trustees agreed to allow the lots advertised on application of the City of New Smyrna Beach with a minimum bid of \$200. The Secretary was requested to notify the Clerk of the Circuit Court of Volusia County of action taken.

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Request was presented from Florida State Historical Society for cancellation of certain certificates which had been certified to the State under Chapter 18296, covering property known as the "Old Spanish Mission" at New Smyrna. Information was furnished that owing to an admission charge for the upkeep of the Mission, the Tax Assessor of Volusia County had placed the property on the tax roll in 1934, resulting in issuance of a certificate to the State which was just recently brought to the attention of the Historical Society.

The matter was referred to the Attorney General for investigation as to method of procedure.

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Request from Tampa Yacht Club, for cancellation of certificates which vested the Club property in the State of Florida under Chapter 18296, was referred to the Attorney General for investigation and advice.

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The following bills amounting to \$4,365.62 were approved and checks in payment therefor ordered drawn:

D. H. Sloan, Jr., C. C. C., Polk County .....	\$ 300.08
E. R. Bennett, C. C. C., Broward County .....	1,776.60
George E. Evans, C. C. C., Alachua County .....	468.68
H. E. Carter, Asst. Attorney General, Expenses .....	23.95

Rose Printing Company, Tallahassee, Fla.....	94.50
Capital City Publishing Co., Tallahassee, Fla.....	36.75
Burroughs Adding Machine Co., Jacksonville, Fla.....	1.00
Capital Office Supply Co., Tallahassee, Fla.....	.65
Corporation Service Co. of Florida, Tallahassee, Fla. ....	.50
J. L. Vaughn, Brevard County—Refund .....	10.00
H. M. Forman & B. C. Forman, Broward County— Refund .....	195.00
John J. Farrell & Emma M. Ferrell, Broward County—Refund .....	62.00
R. D. Cox, Jackson County—Refund .....	12.50
W. J. Taylor & Lillian Taylor, Lake County— Refund .....	37.50
Hilborn Gibson, Manatee County—Refund .....	20.00
C. L. Peterson, Monroe County—Refund .....	125.00
Union Congregational Church, Dade County— Refund .....	52.00
J. L. Dillard, Orange County—Refund .....	25.00
M. Frances Preston & Frances P. Clement, Palm Beach Co. ....	5.00
C. A. Bailey, Palm Beach County—Refund .....	448.50
Rhoda Shive, Palm Beach County—Refund .....	35.50
F. J. Collins & Ethel M. Collins, Polk County— Refund .....	50.00
Bessie L. Cameron, Polk County—Refund .....	162.50
Cora E. Edwards, Pinellas County—Refund .....	20.00
F. J. Collins & Ethel M. Collins, Polk County— Refund .....	102.50
J. M. McNamara, Martin County—Refund .....	5.00
Erle Wilson, Palm Beach County—Refund .....	220.00
J. F. Cochran, Postmaster, Tallahassee, Fla. ....	50.00
H. E. Carter, Asst. Atty. General—Tallahassee, Fla. ....	34.91
	<hr/>
	\$4,365.62

Upon motion duly adopted the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
October 25, 1940

The Trustees of the Internal Improvement Fund met on  
this date in the office of the Governor at the Capitol.

Present :

J. M. Lee, Comptroller.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

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Mr. Elliot reported that the County Commissioners of Levy County had information that Mr. T. T. Scott, who holds timber lease from the Trustees on land which vested in the State under Chapter 14572, Acts of 1929, had been cutting timber smaller than specified in the lease and removing stumps and dead and fallen timber; that in view of such information resolution had been adopted by the County Commissioners of Levy County recommending that the Trustees employ J. C. Adkins and Clyde G. Trammell as attorneys to institute and conduct any litigation that might become necessary to enjoin and prevent the further taking of undersize timber by T. T. Scott, as well as removal of stumps and dead timber. The County Commissioners recommended that for such services Messrs. Adkins and Trammell be paid fifteen per cent of all sums collected from the said T. T. Scott over and above amount paid to the State at the time of execution of lease.

Mr. Adkins being present urged that the Trustees take immediate steps to stop the cutting of undersized timber and if necessary allow institution of the necessary litigation. He stated that the Field Agent for the Trustees was in Bronson at the time the County Commissioners held their meeting and was asked to look over the land. He did so and stated that the terms of the lease were being violated.

The Attorney General objected to the Trustees taking action recommended by the County Commissioners, stating that he deemed it a matter for the Attorney General's office to handle.

A Committee from the Trustees having submitted recommendations October 1st, and the Field Agent having been directed to make investigation of the reported violation of lease, it was agreed that upon receipt of full information the Trustees would take the necessary action.

Mr. Mayo was requested to get in touch with Mr. Savage, Field Agent, at once and have him submit report as soon as possible as to violation of T. T. Scott's lease.

Mr. Adkins requested that some action be taken immediately to put a stop to the devastation of the timber, and offered to furnish affidavits that trespass was being committed.

The Trustees were of the opinion that when Mr. Scott's



attention was called to violation of the lease, he would offer to make payment for any trespass.

Mr. Adkins asked that he or the Board of County Commissioners of Levy County be informed of the result of investigation by the Field Agent. No action taken on the request.

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The Secretary presented letter from John A. Dulany, Mayor of Pahokee, requesting that the Trustees give consent for the War Department to deposit rock at a certain point on the Government Levee, such rock to be used for repairing streets of the town of Pahokee. It was explained that it was necessary for the Trustees to give the United States the permission requested as easement in favor of the Government was for the specific purpose of constructing the levee and navigation channel.

Upon discussion, motion was made seconded and adopted that the Trustees authorize the United States to allow deposit of rock by the town of Pahokee on the site designated as Station 35 plus 00—Range 340—Division 9.

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#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Mayo reported that he had a telephone call from Lawrence Irwin of Pine Breeze Poultry Farm, Callahan, requesting that the Trustees grant right of way to the Rural Electrification Administration for construction of electric power line across land owned by the State in Nassau County. A strip approximately one-half mile long would be required, from which it would be necessary to cut a few pine saplings. Information was that the project was being held up on account of the strip owned by the State.

Mr. Elliot reported that he had a letter from Henry F. Smith of Nassau County requesting right of way for rural electrification and it was possible that it was the same project in which Mr. Irwin was interested.

Motion was made seconded and adopted that Mr. Elliot take the matter up with Messrs. Irwin and Smith and ascertain whether or not the requests have reference to the same project, and if so ask that description of the right of way be furnished the Trustees.

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Letter was presented from American Telephone & Telegraph Co., Atlanta, Georgia, offering to pay 50 cents per running rod for easement over Murphy Act land for laying buried cable line between West Palm Beach and Miami.

It was stated that the area applied for covers a strip 26½ feet wide and approximately 6 miles long.

Motion was made seconded and adopted that the matter be referred to the Attorney General for examination as to whether the Trustees have authority to dispose of a strip such as applied for by American Telephone & Telegraph Company.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
October 26, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. E. Bayless, Land Clerk.

The Trustees had under consideration the subject of violation of timber lease issued March 12th, 1940 in favor of T. T. Scott. Action heretofore taken on the matter is as follows:

“October 1, 1940, report from Committee appointed by the Governor was submitted recommending that information of trespass be investigated. Report was approved and instructions given that the Field Agent be notified to make examination of the trespass charge and advise the Trustees as to his findings.

October 25th, 1940, Attorney J. C. Adkins, representing Levy County Commissioners, came before the Trustees and submitted resolution adopted by this board requesting that steps be taken by the Trustees to stop removal of undersized timber and other material not covered in timber lease, and if necessary to allow litigation instituted to collect amount of trespass, such legal service to be performed by J. C. Adkins and Clyde G. Trammell at a specified fee. The Trustees declined to authorize Messrs. Adkins and Trammell to represent them in the trespass case, as all legal matters were handled by the Attorney General, and Mr.

Adkins was advised that upon receipt of report from the Field Agent, action would be taken."

Mr. Bayless informed the board that when this matter was first reported, he wrote Mr. Scott report had come in that trespass was being committed, in that timber was being cut under size, and request was made that operations be discontinued until an examination could be made; that two days later Mr. T. T. Scott came into the office and said he supposed trespass had been committed; that his son had been notified of execution of lease but had not been informed of specified size of timber; that he would advise him at once, which was done.

Complaint of trespass also alleged that dead and fallen timber, as well as stumps, was also being removed from the land.

Discussion was had as to Resolution presented October 25th by J. C. Adkins, Attorney for Board of County Commissioners of Levy County, and his statement that suit would immediately be brought by himself and Clyde G. Trammell, as attorneys for the Board.

It was stated that Mr. Scott had agreed to pay for all materials that were not covered by his contract. This being the case, the Trustees were of the opinion that any suit brought by the Attorneys, on behalf of the County Commissioners of Levy County, would be an unnecessary expense on the County and should not be resorted to. WHEREUPON, resolution as follows was presented by Comptroller Lee, being put in the way of a motion:

#### RESOLUTION

WHEREAS, upon investigation by the Trustees of the Internal Improvement Fund of the complaint of trespass in cutting of timber on lands leased to T. T. Scott in Levy County, it has been found that T. T. Scott, the Lessee, has appeared in person in the office of the Secretary of the Land Office of the State of Florida, and agreed to make good or pay for any timber taken from said land not in accordance with said lease, and that an investigation of such trespass is now under way by the Agent of said Board and a representative of T. T. Scott with a view of ascertaining whether or not there be any violation of the contract or trespass, now, therefore,

#### BE IT RESOLVED:

1. That no suit or other legal action be taken until the amount of damage or trespass has been ascertained.
2. That a copy of this resolution be forwarded to the Board of County Commissioners of Levy County and to J. C. Adkins and Clyde Trammell,

Attorneys at Law, Gainesville, attorneys for said Board of County Commissioners.

Resolution as submitted was seconded by Mr. Mayo, and unanimously adopted.

Mr. Mayo then moved that a telegram be sent to J. C. Adkins and Clyde G. Trammel, Attorneys for Board of County Commissioners, Levy County, and also to the Commissioners, advising them of action taken, said telegram to be prepared by the Attorney General and sent out under the signature of F. C. Elliot, Secretary, urging that no suit be started and stating that copy of Resolution as adopted by the Trustees on this date was being forwarded for their information. Motion seconded and unanimously adopted.

Information was given that Mr. Savage, Field Agent for the Trustees, and representative of Mr. Scott, were at present engaged in making examination as to lease violation.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
October 29, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

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Minutes of the Trustees dated October 22nd, 25th and 26th, 1940 approved.

Mr. Bayless presented request from Duval Engineering & Contracting Company for three-year extension of Shell Lease No. 241, which expires October 31, 1940. Present lease provides for payment of  $7\frac{1}{2}$  cents per cubic yard for all material removed from certain areas in the St. Johns River, Duval County— $2\frac{1}{2}$  cents per cubic yard being paid to the Trustees, and 5 cents per cubic yard to the Con-



servation Department for supervision and checking of operations.

Upon discussion the Governor was opposed to extending lease unless payments were increased to  $12\frac{1}{2}$  cents per cubic yard.

Motion was made seconded and adopted to grant extension upon payment of  $12\frac{1}{2}$  cents per cubic yard; in all other respects the lease to remain the same.

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Mr. Bayless reported that pursuant to action taken October 22nd, he had taken up with Mr. Shelley and the Fish and Wild Life Service of the Department of the Interior, the suggestion that offers be made separately on timber and land in Wakulla County; that Mr. Shelley had made an offer of \$215 for the timber estimated at 43,000 feet of pine, or \$5 a thousand feet, and the Interior Department had offered \$3.50 an acre for the land.

Motion was made seconded and adopted to decline both offers, the Governor being of the opinion that the price was too low.

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On September 17, 1940, the Trustees agreed to accept \$500 an acre from Thos. H. Horobin for approximately 5.34 acres of State land in Dade County, subject to advertisement for objections as required by law. Pursuant thereto the following Notice was published in the Miami Daily News on September 26, October 3rd, 10th, 17th and 24th, 1940:

Tallahassee, Florida, Sept. 23, 1940

#### NOTICE

NOTICE is hereby given that the Trustees of the Internal Improvement Fund of the State of Florida will hold a meeting at 12 o'clock Noon, Tuesday, October 29th, 1940, at Tallahassee, Florida, to consider the sale of the following described land in DADE County, Florida.

Beginning at the northeast Corner of Fractional Section 3, Township 53 South, Range 42 East, and run South  $1^{\circ}41'45''$  East, 863.68 feet, being the East line of said Section 3, for a point of beginning:

Thence continue South  $1^{\circ}41'45''$  East, 531.87 feet; Thence run North  $47^{\circ}34'35''$  East, 1151.75 feet; Thence run South  $74^{\circ}10'41''$  West to the point of beginning. Containing 5.34 acres, more or less, and lying and being in Dade County, State of Florida.

This Notice is published in compliance with Sec-

tion 1062 of the Revised General Statutes of Florida, that any person or persons who may have objections to said sale may have an opportunity to present the same on date of sale as therein provided.

By order of the Trustees of the Internal Improvement Fund.

Fred P. Cone, Governor.

Attest: F. C. Elliot, Secretary.

No objections being filed or presented, motion was made seconded and adopted to accept \$500 an acre, plus cost of advertising, for land described in above notice, and deed was ordered issued to Thos. H. Horobin.

Application was presented from the State Road Department for right of way across Indian River between Eau Gallie and Aspinwall in Brevard County, and in addition permission for a borrow pit area during the period of construction.

Motion was made seconded and adopted to grant request of the State Road Department for right of way across Indian River at Eau Gallie as designated on map, together with permission to use the adjacent tract as a borrow pit area, to be used in connection with construction of a bridge across the river as part of State Road No. 101.

Request was again presented from Everglades Drainage District that the Trustees of the Internal Improvement Fund adopt a resolution authorizing the State Treasurer to release certain Everglades bonds amounting to \$285,000 together with \$336,000 in matured interest coupons. Information was furnished that these bonds were deposited as collateral securing a note of \$300,000 from the District to the Trustees on account of a loan of like amount from the Trustees to the District; that subsequent settlement was had between the District and the Trustees taking into account this indebtedness.

Upon discussion, motion was made seconded and adopted to refer the proposed resolution to the Attorney General for examination and recommendation.

The following bills were approved in amount of \$1,529.47 and checks were ordered issued in payment therefor:

F. C. Elliot, Secretary and Engineer—October Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—October Salary .....	275.00
M. O. Barco, Clerk-Stenographer—October Salary .....	175.00
Jentye Dedge, Clerk - Stenographer — October Salary .....	175.00

S. S. Savage, Field Agent, Ocala, Fla.....	200.00
H. L. Shearer, Clerk Land Office—Part time— October Salary .....	50.00
William T. Hull, C. C. C., LaBelle, Fla.....	61.97
F. E. Bayless, Tallahassee, Fla—Expense account	62.25
S. S. Savage, Field Agent, Ocala, Fla.,—Expense Account .....	107.55
M. C. McIntosh, Tallahassee, Fla — Expense account .....	13.45
Miami Daily News, Inc., Miami, Fla.....	8.25
	<hr/>
	\$1,529.47

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Attorney General reported that he had given consideration to request from New Smyrna-Deland Drainage District, that the Trustees accept a nominal bid for numerous lots in the District, and it was his opinion that the District should make a reasonable bid for lots applied for.

Motion was made seconded and adopted that the Trustees decline to accept a nominal bid for lots applied for by New Smyrna-Deland Drainage District, however, it was agreed that consideration would be given to any reasonable minimum bid if submitted.

Consideration was given to bids of P. B. Revels and Roy Germany of Palatka, for Putnam County land in sale of March 23, 1940. The Secretary reported that objections had been filed to one or two of the parcels but that Revels and Germany had agreed to eliminate bids where protested or where former owners were living on the land.

Upon discussion, motion was made seconded and adopted to accept bids of Revels and Germany, except in those cases mentioned by the Secretary as being protested or questions as to occupants desiring to purchase.

Request was submitted from Dade County that the Trustees allow reservation in Dade County advertisements and deeds providing for seventy-foot right of way for existing County roads.

The Attorney General was not certain as to authority of the State to make such reservation for county roads, whereupon, the question was referred to the Attorney General for opinion.

Request was presented from Clerk of the Circuit Court of Highlands County, on behalf of the town of Avon Park,

that the Trustees accept bid of 50 cents an acre for approximately 50 acres of land within the City limits of Avon Park—Section 21, Township 33 South, Range 28 East—to be developed as an airport in connection with the National Defense Program.

Motion was made seconded and adopted to accept bid of 50 cents an acre from the town of Avon Park for 59 acres of land located in Section 21, Township 33 South, Range 28 East, Highlands County, to be used as an airport site.

Upon application from the town of Avon Park, motion was made seconded and adopted to allow advertisement of approximately 900 scattered lots within the city limits, totaling 400 acres, with a minimum bid of \$200. Granting of the minimum bid was conditioned that any former owner would have the privilege of bidding on the property at sale, or taking title from the City if bid in by the municipality at no increase over accepted bid.

The Trustees declined offer of \$5 as a minimum bid on 10 acre tract of land applied for by Highlands County, to be used as a borrow pit. It was agreed to allow advertisement of the tract based on a minimum bid of \$5 an acre.

Application was presented from J. H. Peeples, Moore Haven, requesting that the Trustees allow advertisement with a minimum bid of 40 cents an acre on approximately 1000 subdivision lots, aggregating 600 acres, near the town of Venus, Highlands County.

Motion was made seconded and adopted to decline request of Mr. Peeples, but it was agreed to allow advertisement of the lots with a minimum bid of 50 cents an acre.

Discussion was had as to method of returning boom time subdivision lots to acreage and the advisability of the Trustees taking such action. The matter was held over for further discussion.

Request was presented from the State Road Department for easement over Murphy Act land in Duval County, necessary in connection with State Road No. 3-Project 884 (5085) (2)-SRD No. 12, and Road No. 4-Project 143-D-SRD No. 134.

Motion was made seconded and adopted to grant the two easements requested in connection with State Roads No. 3 and No. 4 in Duval County.

Letter was presented from John C. Walker addressed



to Secretary of State R. A. Gray, enclosing petition from Brevard County citizens, requesting that the Trustees allow residents of that county to hunt on lands which vested in the State under Chapter 18296, since there was no other land in the county open for hunting.

The Trustees being of the opinion that they had no authority to grant hunting privileges on these lands, the Secretary was directed to so notify Mr. Walker.

Mr. Elliot brought to the attention of the Trustees numerous protests filed to sales held by the Clerks in the various counties and several cases were cited where the parties protesting had failed to request that the land be readvertised in order for them to bid; that with one or two exceptions parties protesting sales had made no attempt to have the land readvertised and again put up for sale.

Recommendation was made that rules with reference to protests be changed and a uniform rule adopted for handling protests in order to expedite disposition of protested cases. The following was suggested:

Before protests will be considered, party making such protest shall do the following:

1. Deposit amount of costs applying to protested b'd. Deposit amount of protested bid, plus not less than 10%.

Deposit cost of new application, including Clerk's fee and advertising.

2. Submit to Trustees' Agent in writing reason for requested rejection of protested bid.

Fifteen days from date of notice to be allowed for complying with above. If Trustees see fit to allow protest new advertisement and sale to be had under regular rules. If protest be rejected money deposited to be returned to party making protest, less Clerk's fee.

Motion was made seconded and carried that recommendation of the Secretary, with reference to handling protests as above, be adopted as the action of the board and it was ordered that protests be handled as above outlined.

The following bills amounting to \$845.00 were approved and checks ordered drawn in payment thereof:

Frank C. Pelot, Clerk—October Salary .....	\$175.00
Helen Phillips, Clerk-Stenographer—October Salary .....	110.00
Mary Evans Voss, Verifier—October Salary .....	85.00
Jentye Dedge, part time—October Salary .....	25.00
M. O. Barco, part time—October Salary .....	25.00
A. C. Bridges, Clerk—October Salary .....	275.00

Juanita Williams, Clerk-Stenographer — October	
Salary .....	150.00
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	\$845.00

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
November 14, 1940

The Trustees of the Internal Improvement Fund met  
on this date in the office of the Governor at the Capitol.  
Present:

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Secretary again presented to the Trustees the matter of request from Tampa Yacht and Country Club, for deed to Hillsborough County land covered by three certificates certified to the State under Chapter 18296, the land having been owned formerly by the Yacht Club. Request was accompanied by resolution from the Board of County Commissioners that the Trustees deed the land in question to the Club without cost, based on statement from the Tax Assessor that the land was not subject to assessment for state and county taxes. Request had already been made by the Comptroller for opinion of the Attorney General as to authority for cancellation of the certificates.

The Attorney General having rendered opinion to the Comptroller to the effect that there was no authority for cancellation of the certificates against Tampa Yacht and Country Club property, and no application to purchase having been received by the Trustees' Agent, it was decided that there was no action to be taken at this time.

Bids were presented for parcels of land in a subdivision known as DeSoto Beach in Brevard County, located be-

tween the Banana River and the Atlantic Ocean, comprising Lots 7 and 8, Section 25, and Lots 1, 2 and 3, Section 36, Township 22 South, Range 37 East, and a portion of Lot 1, Section 31, Township 22 South, Range 38 East. Mr. Elliot reported that three of the bids were by former owners, but the others were from non-owners bidding on the most desirable lots. Letter from the Clerk stated that if non-owner bids were rejected he has application from a party who will make an offer of \$2000 as a base bid on the remainder of the tract; that he recommends acceptance of this proposal as it will clear up the entire tract.

Upon discussion, motion was made seconded and adopted to accept all owner bids on DeSoto Beach tract and decline all non-owner bids. Action on proposal submitted by the Clerk was deferred.

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Offer of \$50 was presented from the City of Palmetto for land contained in bid of October 7th, Manatee County, consisting of a large number of lots which the city desires to convert into a City Park and Trailer Camp.

Motion was made seconded and adopted to decline offer of \$50 but it was agreed that a bid of \$280 would be acceptable as a base bid for the tracts enumerated in Report of October 7, 1940.

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Application was submitted from Fellsmere Drainage District, requesting reduction in base bid for lands in Indian River County located within such district.

Information was furnished by the Clerk that the land applied for comprises 14,800 acres and an offer of \$1500 was made.

Motion was made seconded and adopted to decline offer of \$1500 but it was decided that in line with similar cases, the Trustees agree on a base bid of 25 cents an acre, or a total bid of \$3700 for advertising the 14,800 acres in Fellsmere Drainage District.

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The Trustees declined to accept \$600 as base bid on approximately 1000 acres of land known as the "Remados Subdivision", in Section 10, 15, 16, 17 and 20, Township 16 South, Range 31 East, Volusia County. However, it was agreed that a minimum bid of \$1 an acre would be acceptable for advertising the tract as a whole.

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Offer of \$70 was presented from Rev. J. P. DeVane as base bid on Lots 233 and 234, Original Plan of Monticello, Jefferson County. Information was furnished that the tax assessor had placed the real value of the lots at \$200.

The Clerk of the Circuit Court recommended acceptance of \$70 for the lots.

Motion was made seconded and adopted to accept \$70 as the minimum bid for advertising the lots applied for by Mr. DeVane.

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Mr. Elliot presented offer of \$162.45 from M. C. Strickland, which was filed under the sealed bid method on February 5, 1940, for Flager County lots. Bid was rejected in the first instance but reconsideration has been requested.

Former action was reconsidered and rescinded, and motion was made seconded and adopted to accept offer of \$162.45 for the land applied for by Mr. Strickland.

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Pasco County case was submitted, in which high bid was made by Lettie Camp Humphries, daughter of former owner. Protest was entered by father of applicant who remarried after his first wife's death and moved away from the County. He now desires to have opportunity to bid on the property.

Motion was made seconded and adopted to accept offer of highest bidder.

Letter was presented from W. H. Tucker of Jacksonville, with reference to sale of land in Duval County under Chapter 18296, in which statement was made that a parcel of land was purchased by one party and another party living on the premises refused to vacate.

Motion was made seconded and adopted to refer the matter to the Attorney General for information as to duties of the Trustees in such cases.

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Report was presented from Clerk of the Circuit Court of Manatee County that property which vested in the State under Chapter 18296 was being rented by former owner or lessee; that former owner, E. P. Burnham of Philadelphia had paid city taxes on the property since 1927 but State and County taxes had not been paid, the property having been assessed as unknown and owner having had no notice of taxes. Application has been made by Mr. Burnham to purchase the land.

The Trustees directed that the highest bid be accepted for the land, but that notice be sent to former owner.

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The Secretary reported that the City Clerk of Bradenton and Clerk of the Circuit Court of Manatee County have suggested that some arrangement be made whereby the Trustees and the City collect rent on lands within the City



limits of Bradenton, to be divided equally between the two agencies. Action deferred.

Action was deferred on application from Clearwater Elks Lodge to purchase Seaside Assembly lots to be used in connection with Faith Mission Orphanage, a charitable organization supported by the Elks Lodge of Clearwater.

Letter was presented from Oliver Tanner of Palatka, advising that pulp wood timber was being cut from Murphy Act land in the SW $\frac{1}{4}$  and S $\frac{1}{2}$  of SE $\frac{1}{4}$  and S $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 28, Township 9 South, Range 25 East, Santa Monica S/D, Putnam County.

Motion was made seconded and adopted that the matter of trespass on land at Florahome, as well as rental of property at Bradenton, be referred to S. S. Savage, Field Agent, with instructions that he collect for the timber removed and for the rental of the property.

The Trustees declined to accept lower base bid on the S $\frac{1}{2}$  of Lot 2, Block 14, Palatka, as requested by the Catholic Church of that city, it being the opinion of the board that the base bid of \$175 was a reasonable amount for the property.

Easement deed were authorized in favor of the State Road Department conveying right of ways for Duval County Road No. 3, Project 884(5085), and Road No. 4, Project 143-D.

Motion was made seconded and adopted to issue refund checks as requested by the Clerk of the Circuit Court of Orange County.

The following bills amounting to \$5,182.39 were approved and checks ordered issued in payment therefor:

The Commercial Office Supply Co., Tallahassee, Fla.	\$ 83.50
The Capital Office Supply Co., Tallahassee Fla.	45.80
Capital City Publishing Co., Tallahassee, Fla.	83.00
Railway Express Agency, Tallahassee, Fla.	8.55
H. E. Carter, Asst. Atty. General, Tallahassee, Fla.	18.48
D. F. Burnett, Jr., C. C. C., Madison, Fla.	13.24
J. L. Barber, C. C. C., Okeechobee, Fla.	66.40
R. W. Caldwell, Pinellas County—Refund	20.00
G. C. Wood, Palm Beach County—Refund	71.00
C. M. Knight, Palm Beach County—Refund	20.00
Stinson & Fletcher, Inc., Palm Beach Co.—Refund	1,790.00

Stinson & Fletcher, Inc., Palm Beach Co.—Refund	1,363.00
Stinson & Fletcher, Inc., Palm Beach Co.—Refund	150.00
Stinson & Fletcher, Inc., Palm Beach Co.—Refund	67.50
Stinson & Fletcher, Inc., Palm Beach Co.—Refund	100.00
Robert R. Nahrang, Palm Beach Co.—Refund	467.50
J. C. Hill, Duval County—Refund	95.00
J. F. Cochran, Postmaster, Tallahassee, Fla.	50.00
F. V. Balch, Pinellas County—Refund	174.00
C. M. Gay, C. C. C., Orange County—Refunds	460.50
H. D. Howell, C. C. C., Holmes County	34.92
	<hr/>
	\$5,182.39

### CONSIDERATION OF TRUSTEES MATTERS PROPER

Mr. Bayless presented request from Geo. W. Whitehurst of Fort Myers, Florida, that the Trustees add to grazing lease No. 66, in favor of Cyril Baldwin and Geo. W. Whitehurst, Section 32, Township 46 South, Range 34 East, Hendry County, at the same rate of payment—Ten cents an acre.

Motion was made, seconded and adopted to include in Lease No. 66 the section applied for by Mr. Whitehurst, lease to be for a period of one year with payment at the rate of ten cents an acre.

Report was submitted from S. S. Savage, Field Agent, on trespass committed by T. T. Scott on Levy County land. Statement of trespass is as follows:

Stumps removed from the land	\$ 603.71
Timber cut under 12 inches diameter	2,751.07
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Total trespass	\$3,354.78

Mr. Bayless stated that the above was based on price applicable for timber under lease to Mr. Scott on Levy County land. Also that Mr. Scott had called at the Land Office and agreed to pay for any trespass committed under his lease.

Motion was made seconded and adopted that Mr. Scott be called upon to make payment in amount of \$3,354.78 for trespass committed on Levy County land, and that the County Commisisoners of Levy County be advised of action taken.

Application was presented from Mark Byron, who holds lease assigned from Leo Edwards, for renewal of lease covering fishing camp sites in Dade County, renewal to be for a period of one year upon payment of \$30.

Mr. Bayless explained that this lease covered several

fishing camps and it was his information that the camps were sub-leased or rented to other parties.

Upon motion seconded and adopted, the Trustees agreed to issue new lease in favor of Mr. Byron for one year upon payment of \$30.00; lease to cover one fishing camp location.

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The Trustees recently declined offer of \$50 from Leo Bonner of Okeechobee, Florida, for Lots 3, 4 and 5, Section 26, Township 37 South, Range 33 East, containing 42.52 acres in Okeechobee County, located on the West bank of the Kissimmee River. Mr. Bayless stated that Mr. Bonner has raised his offer to \$100 for the lots, explaining that he has occupied the land for sixteen years with a fishing camp and has made several attempts to homestead.

Motion was made seconded and adopted to decline offer of \$100 for the lots described.

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Application was presented from A. J. Clary, offering \$25 an acre for Section 11, Township 57 South, Range 39 East, Dade County, located about four miles East of Homestead.

Motion was made seconded and adopted to decline offer from Mr. Clary.

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Offer of \$125 an acre was presented from Chas. B. Cleveland of Miami, on behalf of John L. Patten, to purchase two spoil areas in Dumfoundling Bay, Dade County, containing a total of 22.91 acres, more or less. Application stated that the land was desired in order to eliminate squatters or objectionable occupants.

Motion was made seconded and adopted to accept offer of \$125 an acre for the two tracts, plus cost of advertising.

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The Trustees authorized payment of South Florida Conservancy District taxes on State land amounting to \$8,548.53, less 4% discount during November, or a total of 8,206.59, and check was ordered drawn in payment therefor.

Mr. Bayless reported that W. P. Shelley of Tallahassee has raised his offer to \$6 per thousand for timber on the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, Township 4 South, Range 2 East, Wakulla County, and that W. L. Towns, of the United States Fish and Wildlife Service had offered \$3.50 an acre for the land.

Motion was made seconded and adopted that the offer from W. P. Shelley of \$6 per thousand for the timber, and the offer of \$3.50 an acre from the United States for the land, be accepted for the timber and land described.

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Offer of \$10 an acre was presented from H. E. Harllee

for the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 9, Township 10 South, Range 16 East, Gilchrist County.

The Land Clerk reported that S. S. Savage, Field Agent, had estimated 5200 feet of pine timber and 8,500 turpentine cups on the tract.

Motion was made seconded and adopted to decline offer of \$10 an acre for the land, but it was agreed that a price of \$450 would be acceptable for the 40 acres.

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Mr. Bayless presented requests from John Fite Robertson, on behalf of Elbridge Boyd, and from J. Douglas Arnest, on behalf of Wm. E. Smith, for quit claim deeds to two parcels of land in Lot 4, Section 1, Township 34 South, Range 17 East, Sarasota County, containing approximately 85/100 total. Applicants offered \$50 each for the parcels and furnished information that the area was formerly water but by erosion was now land.

The Land Clerk stated that a similar case had been acted on by the board in July, by which quit claim deed was executed in favor of Marianne Lee upon payment of \$50 for 34/100 of an acre.

Motion was made seconded and adopted to accept offers from John Fite Robertson and J. Douglas Arnest of \$50 each for quit claim deeds to the parcels above described.

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Mr. Bayless reported that pursuant to action of the Trustees October 29th, indicating that a price 12 $\frac{1}{2}$  cents per cubic yard would be agreeable for renewal of shell lease in favor of Duval Engineering and Contracting Company, he had gone into the matter with the Conservation Department and it was recommended that lease be renewed for a period of one year upon payment of ten cents per cubic yard for all shell removed, such amount to be divided equally between the Trustees and the Conservation Department.

Motion was made seconded and adopted to renew shell lease in favor of Duval Engineering & Contracting Company upon the same terms and conditions, except that the royalty payment shall be ten cents per cubic yard for all material removed.

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Mr. Bayles again presented the matter of land exchange between the Trustees of the Internal Improvement Fund and private individuals in connection with blocking up areas in Myakka River State Park, which matter was referred to the Attorney General October 22nd for opinion.

Question having been saide as to authority of the Board of County Commissioners of Sarasota County to convey land, the Attorney General advised that the law did not



give county commissioners such authority, therefore there was nothing the Trustees could do about the matter.

The Land Clerk was directed to inform Sarasota County officials of the opinion of the Attorney General.

Mr. R. B. Stewart of Ft. Myers was present and made application for shell lease in the Caloosahatchee River, from Ft. Myers to the mouth of the River and the Bay between Pine Island and the River, offering ten cents per cubic yard for shell removed.

Mr. Bayless reported that the Trustees now have a non-exclusive shell lease operating in that area which lease will expire February 1941.

Upon discussion the Trustees were not inclined to grant lease with royalty payment of less than fifteen cents per cubic yard. Mr. Stewart agreed to the terms of the Trustees and lease was authorized issued for a period of one year based on rental of fifteen cents per cubic yard.

The following bills amounting to \$8,398.26 were approved and checks ordered issued in payment therefor:

South Florida Conservancy District Belle Glade, Fla.

Taxes for year 1940 on State land in	
said District .....	\$8,548.53
Less 4% .....	341.94
	<hr/>
	\$8,206.59
Southeastern Telephone Co., Tallahassee Fla.....	19.63
Postal Telegraph-Cable Co., Tallahassee, Fla.....	.56
Western Union Telegraph Co., Tallahassee, Fla.....	4.83
W. B. Granger, Belle Glade, Fla. ....	24.00
S. S. Savage, Field Agent, Ocala, Fla.....	87.65
E. G. Hamilton, West Palm Beach, Fla. ....	45.00
J. F. Cochran, Postmaster, Tallahassee, Fla.....	10.00
	<hr/>
	\$8,398.26

Financial Statement for the month of October is as follows:

#### FINANCIAL STATEMENT FOR OCTOBER 1940

Receipts	
Various land sales .....	\$ 4,755.33
Land sales under Ch. 14572, Acts	
of 1929 .....	2,700.00
Farm leases .....	502.50
Grazing lease .....	7.50
Sand, shell and gravel leases .....	296.27
Mineral lease .....	37.50

Hotel site lease .....	750.00
Quit claim to reservations in deed .....	7.50
Total receipts during month .....	\$ 9,056.60
Balance on hand October 1, 1940 .....	170,246.80
	<hr/>
	\$179,303.40
Less disbursements .....	2,182.59
	<hr/>
Balance October 31, 1940 .....	\$177,120.81

## BALANCES IN BANKS OCTOBER 31, 1940

The Atlantic National Bank, Jacksonville, Fla. ....	\$145,586.48
The Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	12,713.02
	<hr/>
Total in Banks .....	\$176,120.81
Cash on hand .....	1,000.00
	<hr/>

Total in banks and on hand ..... \$177,120.81

## DISBURSEMENTS

Date	No.	In Favor of	Amount
1940			
Oct. 24,	11811	Southeastern Telephone Co.....	\$ 9.53
	11812	Postal Telegraph-Cable Co.....	.74
	11813	Western Union Telegraph Co....	3.77
	11814	S. S. Savage .....	254.68
	11815	The Palm Beach Post .....	284.25
	11816	Railway Express Agency .....	1.25
	11817	W. B. Granger .....	14.75
	11818	The Miami Herald .....	6.00
	11819	F. E. Bayless .....	78.15
31,	11820	F. C. Elliot .....	400.00
	11821	F. E. Bayless .....	275.00
	11822	M. O. Barco .....	175.00
	11823	Jentye Dedge .....	175.00
	11824	S. S. Savage .....	200.00
	11825	H. L. Shearer .....	50.00
	11826	Wm. T. Hull, C. C. C. ....	61.97
	11827	F. E. Bayless .....	63.25
	11828	S. S. Savage .....	107.25
	11828	S. S. Savage .....	107.55
	11829	M. C. McIntosh .....	13.45
	11830	Miami Daily News .....	8.25

Total disbursements for October, 1940 ..... \$2,182.59

ACCOUNT UNDER CHAPTER 18296  
OCTOBER 1940

Balance October 1, 1940 .....	\$390,539.38
Receipts during month—land sales .....	21,689.56
	<u>\$412,228.94</u>
Less disbursements .....	5,210.62
	<u>Balance October 31, 1940 .....</u>
	\$407,018.32
<b>BALANCES IN BANKS OCTOBER 31, 1940</b>	
The Atlantic National Bank, Jacksonville, Fla. ....	\$404,258.15
The Capital City Bank, Tallahassee, Fla. ....	2,760.17
	<u>Total amounts in banks .....</u>
	\$407,018.32

DISBURSEMENTS

Date	No.	In Favor of:	Amount
1940			
Oct. 24,	174	D. H. Sloan, Jr., C. C. C. ....	\$ 300.08
	175	E. R. Bennett, C. C. C. ....	1,766.60
	176	Geo. E. Evans, C. C. C. ....	468.68
	177	H. E. Carter .....	23.95
	178	Rose Printing Company .....	94.50
	179	Capital City Publishing Co. ....	36.75
	180	Burroughs Adding Machine Co. ....	1.00
	181	Capital Office Supply Co. ....	.65
	182	Corporation Service Company of Fla. ....	.50
	183	J. L. Vaughn .....	10.00
	184	H. M. & B. C. Forman .....	195.00
	185	John J. & Emma M. Ferrell .....	62.00
	186	R. D. Cox .....	12.50
	187	Hilborn Gibson .....	20.00
	188	W. J. and Lillian Taylor .....	37.50
	189	C. L. Peterson .....	125.00
	190	Union Congregational Church .....	52.00
	191	J. L. Dillard .....	25.00
	192	M. Frances Preston & Frances P. Clement .....	5.00
	193	C. A. Bailey .....	448.50
	194	Rhoda Shive .....	35.50
	195	F. J. & Ethel M. Collins .....	50.00
	196	Bessie L. Cameron .....	162.50
	197	Cora E. Edwards .....	20.00
	198	F. J. & Ethel M. Collins .....	102.50
	199	J. M. McNamara .....	5.00

	200	Erle Wilson .....	220.00
	201	J. F. Cochran, P. M. ....	50.00
	202	H. E. Carter .....	34.91
31,	203	Frank C. Pelot .....	175.00
	204	Helen Phillips .....	110.00
	205	Mary Evans Voss .....	85.00
	206	Jentye Dedge .....	25.00
	207	M. O. Barco .....	25.00
	208	A. C. Bridges .....	275.00
	209	Juanita Williams .....	150.00

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Total disbursements for October 1940 \$5,210.62

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
November 21, 1940

The Trustees of the Internal Improvement Fund met on this date in the Senate Chamber at the Capitol.

Present:

Fred P. Cone, Governor.

J. M. Lee, Comptroller.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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#### CONSIDERATION OF MATTERS UNDER CHAPTER 18296, ACTS OF 1937

Attention was called to the fact that on January 7th, 1941, a number of Clerks of the Circuit Courts, acting as Agents for the Trustees under Chapter 18296, would go out of office and new Clerks come in; that all accounts should be up to date and all bids on hand deposited with the Trustees prior to January 7th.

The Treasurer recommended that all Agents of the Trustees be requested to make full report of all sales not disposed of, transmitting all moneys deposited with them as bids on land; that hereafter only advertising costs and Clerk's fees be deposited with application and only bid of highest bidder be accepted on date of sale.

Upon consideration of the suggestions made, motion was seconded and adopted that the Trustees' Agents be instructed to proceed as follows:



1. Omit collection of base or minimum bid when application is made for advertising land;
2. Transmit with bidding reports all money applicable thereto;
3. Full statement of all uncompleted sales to be transmitted to the Trustees prior to expiration of present term of office, together with all moneys collected as bids on land.
4. Outgoing Clerks to furnish new Clerks with complete report of unfinished transactions and turn over to him all records pertaining to Chapter 18296.

The Secretary was requested to send out instructions as above adopted to all Clerks of the Circuit Courts.

In connection with application from Board of County Commissioners of Hillsborough County to purchase a tract of land for a City Airport, request was submitted from Mr. Henry S. Tillman, Attorney for the Board, that the Trustees waive the rule requiring notice to former owners. The Clerk of the Circuit Court advised the County Commissioners that it would necessitate an abstract to obtain names and addresses of former owners and would be an expensive service.

Upon discussion, the Trustees agreed to waive the rule with reference to notice to former owner, and allow advertisement of the land with a minimum bid of \$1000. The Secretary was directed to notify the Clerk of the Circuit Court of Hillsborough County of the action taken on request of the County.

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
November 22, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

Minutes of the Trustees dated October 29th and November 14th and 21st, 1940, approved.

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

On November 14th the Trustees referred to the Attorney General letter from W. H. Tucker of Jacksonville, purchaser of land under Chapter 18296. Opinion was asked with reference to request from Mr. Tucker that the Trustees defend title to the land and put him in possession of the property. Information was that former owner of the parcel had been sold out at Sheriff's sale some years ago to satisfy a judgment; that he had since built a house on the lot and refused to give possession to purchaser from the State, or to pay rent.

The Attorney General gave the Trustees this opinion: "that there is nothing in the form of deed used in conveying Murphy Act land which warrants the title or obligates the State to put the grantee in possession."

Based on opinion of the Attorney General, it was agreed that the Trustees take no further action in the matter.

#### CONSIDERATION OF TRUSTEES MATTERS PROPER

Miss Pearl Pearce of Ft. Bassenger, Florida, came before the Trustees on behalf of herself and sister and offered \$3 an acre for approximately 3870 acres of land in Glades County which was covered by Grazing Leases No. 18430 and 18447. Upon question as to terms of payment, Miss Pearce stated they would like contract on the ten year payment plan. Mr. J. H. Peeples being present stated that the land was suitable only for grazing purposes owing to lack of water control, a considerable portion of the tract being useable only during extremely dry periods.

Miss Pearce was requested to submit her application in writing for later consideration of the board when at least four members could be present.

Mr. I. E. Scott, Tax Assessor of Glades County, offered \$3 an acre for approximately 220 acres of State land in Section 25 and 26, Township 39 South, Range 33 East, Glades County, adjoining land under lease to the Pearce Sisters. Mr. Scott stated that this tract would block up his holdings and would enable him to enclose the entire tract under one fence.

The Trustees requested Mr. Scott to submit his proposal in writing for further consideration.

Mr. J. H. Peeples, on behalf of Roy Robinson, applied

to purchase 40 acres of State land, being Lot 4 of Section 3, Township 40 South, Range 33 East, Glades County, located between Harney Pond and Indian Prairie Canal. Offer of \$5 an acre was made for the tract with payment to be made one-half cash and balance in two years.

Motion was made seconded and adopted to accept \$5 an acre from Mr. Robinson for the 40 acres applied for as above.

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Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. E. Elliot,  
Secretary.

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Tallahassee, Florida,  
November 26, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
F. E. Bayless, Land Clerk.

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#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Sam D. Fitzsimmons, Mayor of Ft. Myers, submitted protest of the City of Fort Myers to sale of a parcel of land within the City limits described as,

Lot, 3 Block 16, Evans Second Addition to Fort  
Myers, Florida.

which lot had been bid in by Joseph Lee at Murphy Act sale held October 28, 1940. Statement was made that the lot was worth approximately \$200; that the City of Fort Myers had deposited with the Clerk of the Circuit Court the amounts required by the Trustees prior to consideration of protests. It was urged that the protest be favorably considered and that the land be again advertised for bids. Mayor Fitzsimmons informed the board that the lot adjoined property of the City and was badly needed in connection with the proposed expansion of the water plant; that by virtue of tax liens covering a period of ten years the City felt it should be given some consideration.

Motion was made seconded and adopted to reject bid of

Joseph Lee and allow readvertisement of the lot based on protest from the City of Fort Myers.

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Mr. Sam D. Fitzsimmons on behalf of the City of Fort Myers, requested the Trustees to allow minimum bid of \$2 per lot, or a total of \$5,000 for advertising approximately 2500 lots within the City limits of Ft. Myers. It was stated that city liens are outstanding against the entire tract and that there are no improvements or homes on the property.

Motion was made seconded and adopted that the Trustees allow advertisement of the lots applied for by Mr. Fitzsimmons, on behalf of the City of Fort Myers, with minimum bid of \$5000 it being understood that in case any former owner bid higher than the City, the City would make no objection to acceptance of such bid.

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Mr. Charles A. Mitchell of Vero Beach, representing Fellsmere Drainage District, appeared before the Trustees accompanied by Mr. Douglas Baker, Clerk of the Circuit Court, and Mr. Buston of the Drainage District. Request was made that the District be allowed to make a minimum bid of \$1500 (later raised to \$2000) to have advertised the 14,800 acres of land within the district which vested in the State under Chapter 18296. Mr. Mitchell advised that it was not desired that the land be sold in a lump as the District would be glad to have any individual make a higher bid and take deed to the land—the main object was to get title back in the District or in individual ownership.

Action on the request was deferred pending further investigation by the Attorney General.

Mr. Charles A. Mitchell representing Fellsmere Land Company, having made an offer July 23, 1940 of \$392.50 as bid for approximately 3300 acres described as,

Lot V, Township 32 South, Range 36 East,

Indian River County,

requested that action be taken at this time. Statement was made that the Company was former owner of the tract, and letters from the Tax Assessor, County Engineer and others recommended that the offer be accepted. Information was furnished that based on the recommendation of the County officers, the Clerk had advertised the land for sale and bid of Fellsmere Land Company was reported to the Trustees.

Upon discussion the Trustees agreed that the matter should have been presented to the Board before advertising. It was, therefore, decided to reject the bid and allow readvertisement of the tract upon minimum bid of \$400.

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The following bills amounting to \$1,683.00 were approved



and checks ordered drawn in payment therefor:	
Frank C. Pelot, Clerk—November Salary .....	\$ 175.00
Helen Phillips, Clerk-Stenographer — November Salary .....	110.00
Mary Evans Voss, Verifier—November Salary .....	85.00
Jentye Dedge, Clerk-Stenographer—Part time—November Salary .....	25.00
M. O. Barco, Clerk-Stenographer — Part time — November Salary .....	25.00
A. C. Bridges, Accountant-Bookkeeper—November Salary .....	275.00
Juanita Williams, Clerk-Stenographer—November Salary .....	150.00
R. F. Vason, Verifier—November Salary .....	85.00

#### REFUNDS

Roy Germany, Putnam County .....	116.00
Roy Germany & P. B. Revels, Putnam County .....	90.00
Ford W. Heacock, Palm Beach County .....	32.00
H. H. Hart, Palm Beach County .....	117.50
B. Y. Free, Palm Beach County .....	397.50
	<hr/>
	\$1,683.00

#### CONSIDERATION OF TRUSTEES MATTERS PROPER

— Mr. Charles A. Mitchell on behalf of Mayor Alex McWilliams and Harry W. Damerow, City Engineer, presented request of the City of Vero Beach for approximately 200 acres of water bottoms lying between a marsh area owned by the City, along the shore, and the East Coast Canal. Mr. Mitchell stated that Vero Beach contemplates filling about half of the tract with material taken from the remainder, creating a yacht basin in the dredged portion, and improving and beautifying the whole for park purposes. For the tract applied for the City offers not over \$2 an acre.

Motion was made seconded and adopted to defer action on application until investigation and report can be made by Mr. Bayless.

— Mr. I. E. Scott, Tax Assessor of Glades County, having submitted an offer of \$3 an acre for approximately 220 acres of land in Sections 25, 26 and 36, Township 39 South, Range 33 East, Glades County, came before the Trustees and presented an amended offer of \$5 an acre for the land, with payment to be made one-third cash, one-third in six months and balance in twelve months from date of sale.

Motion was made seconded and adopted to accept offer of \$5 an acre for the land applied for by Mr. Scott.

Mr. Bayless reported that the tract of land described as Lot 4, Section 3, Township 40 South, Range 33

East Glades County—40 acres, sold to Roy Robinson at meeting November 22nd, at a price of \$5 an acre, was leased for grazing purposes until May 1941.

The Trustees requested that Mr. Bayless notify Mr. Peeple and Mr. Robinson of the lease, and that sale would be made subject to such lease.

The following bills amounting to \$1,245.00 were approved and checks ordered drawn in payment therefor:

F. C. Elliot, Engineer and Secretary—November Salary .....	\$ 400.00
F. E. Bayless, Land Clerk—November Salary .....	275.00
M. O. Barco, Clerk-Stenographer — November Salary .....	175.00
Jentye Dedge, Clerk-Stenographer — November Salary .....	175.00
S. S. Savage, Field Agent, Ocala, Fla—November Salary .....	170.00
H. L. Shearer, Clerk in Land Office—Part time—November Salary .....	50.00
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	\$1,245.00

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
November 29, 1940

The Trustees of the Internal Improvement Fund met on this date in the Senate Chamber at the Capitol.

Present:

Fred P. Cone, Governor.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Attorney General presented request from James B. Stockton, Jacksonville, Florida, representing Jacksonville

Lakeside Company, Inc., that the Trustees waive rules for advertising and allow sale to be made within five days on Lots 3 and 5, Block 199, Lakeside Park, applied for by former owner. Request was made on the ground that the lots were desired in connection with the housing project for Naval Air Base at Jacksonville. Information was furnished that the base bid, together with advertising costs and fees, had been deposited with the Clerk of the Circuit Court of Duval County.

Motion was made seconded and adopted that the Trustees allow advertisement of Lots applied for by Jacksonville Lakeside Company, a period of not less than five days to elapse between date of advertisement and date of sale.

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The State Treasurer reported that he had discussed with the Secretary the handling of refunds which would be made necessary on account of method now effective as to immediate transmittal of all bid money received by the Clerks under Chapter 18296, Acts of 1937. It was recommended that the Trustees authorize the issuance of refund checks covering rejected bids, such rejection to carry with it the authority to issue refund checks as necessary.

The Trustees approved as their action the suggestion of the State Treasurer and the Secretary was directed to proceed as above outlined. It was ordered that copy of this Minute be furnished the State Treasurer as his authority for issuing checks when requested by the Secretary to cover refunds.

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Motion was made seconded and adopted that F. C. Elliot, Secretary and Engineer, be paid \$50 monthly from funds under Chapter 18296, for services rendered in connection with handling Murphy Act sales.

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The following bill amounting to \$50 was approved and check ordered issued in payment therefor:

F. C. Elliot, Engineer & Secretary — November  
 Salary—Part time .....\$50.00

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Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
 Governor—Chairman.

ATTEST:

F. C. Elliot,  
 Secretary.

Tallahassee, Florida,  
December 4, 1940

The Trustees of the Internal Improvement Fund met on this date in the Senate Chamber at the Capitol.

Present:

Fred P. Cone, Governor.

W. V. Knott, Treasurer.

George Couper, Gibbs, Attorney General.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

Messrs. Walter R. Clark and H. J. Driggers of Ft. Lauderdale, Florida, came before the Trustees and submitted application to lease for petroleum purposes the following described land owned by the State in

Sections 8, 10, 20, 22, 28, 32, and 34, Township  
54 South, Range 35 East, Dade County, Florida.

Request was also made that Performance Bond attached to Lease No. 71 dated April 8, 1940, in favor of Walter R. Clark and H. J. Driggers, be amended to cover lease applied for herein; amount of said bond to be arrived at by ascertaining the percentage increase of the land included in both descriptions over that covered by prior lease.

Upon motion of Mr. Knott, seconded and adopted, the Trustees agreed to allow supplemental lease on the above described lands upon the same terms and conditions as applying in Lease No. 71; also that performance bond be increased to include the additional acreage and carry the same due date.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
December 6, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

W. V. Knott, Treasurer.

Nathan Mayo, Commissioner of Agriculture.

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F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.



Miss Pearl Pearce of Ft. Bassenger, Florida, came before the board with reference to offer submitted November 22, 1940 of \$3 an acre for land under Leases No. 18430 and No. 18447 in favor of Misses Pearl and Edna Pearce and Mrs. Clara Pearce. Amended bid of \$5 an acre was offered on behalf of Pearl and Edna Pearce for the land described in Leases 18430 and 18447.

The Secretary stated that he did not believe the Trustees were authorized to sell all land under lease to the Pearce Sisters, and upon investigation it was found that such was the case.

Upon discussion motion was made seconded and adopted that the Trustees sell to Misses Pearl and Edna Pearce, subject to existing leases, all the land included in Leases 18430 and 18447 which they are authorized to sell, comprising approximately 1870 acres, at a price of \$5 an acre.

Motion was also made that in consideration of purchase of the above land that the Trustees agree to lease to Misses Pearl and Edna Pearce approximately 2000 acres of lake bottom land for an additional period of three years at a rental of fifteen cents (15c) an acre annually. Motion seconded and adopted.

Mr. Bayless was requested to work out with Miss Pearce the terms of sales contract and adjustment of leases on the land.

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#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

Mr. Elliot presented request from Major W. H. Daub, Constructing Quartermaster, War Department, Tallahassee Airport, for easement to excavate a drainage ditch through property owned by the State under Chapter 18296, Acts of 1937, the ditch being necessary in connection with the Air Base now under construction by the United States at Tallahassee Airport.

Motion was made seconded and adopted that easement for drainage ditch be granted the United States for the purpose stated and the Secretary was directed to have such permit prepared for execution.

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Request was submitted from the State Road Department for right of way easements over land owned by the State under Chapter 18296.

Motion was made seconded and adopted to grant easements in favor of State Road Department covering the following roads:

Brevard County	.....Road No. 206—Project No. 1233
Brevard County	.....Road No. 70—Project No. 5321
Clay County	.....Road No. 68—Project No. 1037

DeSoto County	Road No.	2—Project No.	616 Ext.
Duval County	Road No.	363—Project No.	1269
Polk County	Road No.	79—Project No.	1222-C
Polk County	Road No.	8—Project No.	5209
Volusia County	Road No.	21—Project No.	5055

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
December 10, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.

W. V. Knott, Treasurer.

George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

F. E. Bayless, Land Clerk.

Minutes of the Trustees dated November 22nd, 26th, 29th and December 4th and 6th, 1940, presented and approved.

The Attorney General called to the attention of the Trustees the matter of proposed sale of submerged areas in Lake Worth, Palm Beach County, to Neil A. Campbell. The land comprising 2.9 acres of submerged areas in Section 34, Township 43 South, Range 43 East, located between two parcels owned by Mr. Campbell, was advertised for sale July 23, 1940, subject to objection. Objections were filed by J. Field Wardlaw on behalf of the Davies interests and by several other parties, including the town of Palm Beach.

The Attorney General reported that he had carefully considered all protests and briefs filed by counsel on both sides and he could see no legal objection to the sale of the submerged tract, and recommended that the sale be consummated to Mr. Campbell.

Upon discussion the Governor, who was not present at former meetings on the subject, stated that he was in favor of making sale to Mr. Campbell but felt that the price offered was not sufficient for the land and suggested \$1000 an acre.

Motion was made seconded and adopted that the Trustees

overrule and deny all protests and objections presented and filed to the sale of land in Lake Worth applied for by Neal A. Campbell, and that the land be sold to Mr. Campbell at a price of \$1000 an acre.

The Land Clerk was directed to notify Mr. Campbell of action taken and request that he signify his acceptance or rejection of the price agreed upon.

Financial Statement for the month of November, 1940, is as follows:

# FINANCIAL STATEMENT FOR NOVEMBER 1940 RECEIPTS

Various land sales .....	\$ 1,050.00
Land sales under Ch. 14717, Acts of 1931 .....	150.00
Sand shell and gravel leases .....	561.53
General lease .....	37.50
Grazing lease .....	351.38
Mineral lease .....	48.75
Saw grass lease .....	51.67
Farm lease .....	22.50
Reclaimed land lease .....	18.75
Lake bottom lease .....	7.50
Pipe line permit .....	375.00
Reimbursement for advertising land sale .....	10.50

Total receipts during month .....\$ 2,685.08

Balance on hand November 1, 1940 177,120.81

\$179,805.89

Less disbursements ..... 9,643.26

Balance November 30, 1940 .....\$170,162.63

## BALANCES IN BANKS NOVEMBER 30, 1940

The Atlantic National Bank, Jack- sonville, Fla. ....	\$138,623.69
The Florida National Bank, Jack- sonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	12,717.63

Total in Banks .....\$169,162.63

Cash on hand ..... 1,000.00

Total in banks and on hand .....\$170,162.63

## DISBURSEMENTS

Date 1940	No.	In Favor of:	Amount
Nov. 15,	11831	Southeastern Telephone Co.....	\$ 19.63
	11832	Postal Telegraph-Cable Co.....	.56
	11833	Western Union Telegraph Co. ....	4.83
	11834	W. B. Granger .....	24.00
	11835	S. S. Savage .....	87.65
	11836	E. G. Hamilton .....	45.00
	11837	J. F. Cochran, P. M.....	10.00
	11838	Cancelled .....	
	11839	South Fla. Conservancy Dist....	8,206.59
27,	11840	F. C. Elliot .....	400.00
	11841	F. E. Bayless .....	275.00
	11842	M. O. Barco .....	175.00
	11843	Jentye Dedge .....	175.00
	11844	S. S. Savage .....	170.00
	11845	H. L. Shearer .....	50.00

Total disbursements for Nov., 1940.....\$9,643.26

## ACCOUNT UNDER CHAPTER 18296

Balance November 1, 1940 .....\$407,018.32

Receipts during month—land sales..... 54,568.56

\$461,586.88

Less disbursements ..... 6,915.39

Balance November 30, 1940 .....\$454,671.49

## BALANCE IN BANKS NOVEMBER 30, 1940

The Atlantic National Bank, Jacksonville, Fla. ....\$450,054.72

The Capital City Bank, Tallahassee, Fla. .... 4,616.77

Total amount in banks .....\$454,671.49

## DISBURSEMENTS

Date 1940	No.	In Favor of:	Amount
Nov. 15,	210	Commercial Office Supply Co..\$	83.50
	211	Capital Office Supply .....	45.80
	212	Capital City Publishing Co.....	83.00
	213	Railway Express Co. ....	8.55
	213	H. E. Carter .....	18.48
	215	D. F. Burnett, Jr., C. C. C. ....	13.24
	216	J. L. Barber, C. C. C.....	66.40



	217	R. W. Caldwell, c/o Ray E. Green, C. C. C.	20.00
	218	G. C. Wood, c/o Geo. O. Butler, C. C. C.	71.00
	219	C. M. Knight, c/o Geo. O. Butler, C. C. C.	20.00
	220	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.	1,790.00
	221	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.	1,363.00
	222	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.	150.00
	223	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.	67.50
	224	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.	100.00
	225	Robert R. Nahrgang, c/o Geo. O. Butler, C. C. C.	467.50
	226	J. C. Hill, c/o Elliot W. Butts, C. C. C.	95.00
	227	J. F. Cochran, P. M.	50.00
	228	F. W. Baleh, c/o Ray E. Green, C. C. C.	174.00
	229	C. M. Gay, C. C. C.	460.50
	230	H. D. Howell, C. C. C.	34.92
27,	231	Frank C. Pelot	175.00
	232	Helen Philips	110.00
	233	Mary Evans Voss	85.00
	234	Jentye Dedge	25.00
	235	M. O. Barco	25.00
	236	A. C. Bridges	275.00
	237	Juanita Williams	150.00
	238	R. F. Vason	85.00
	239	Roy Germany, c/o W. A. Williams, Jr., C. C. C.	116.00
	240	Roy Germany, c/o W. A. Williams, Jr., C. C. C.	90.00
	241	Ford W. Heacock, c/o Geo. O. Butler, C. C. C.	32.00
	242	H. H. Hart, c/o Geo. O. Butler, C. C. C.	117.50
	243	B. Y. Free, c/o Geo. O. Butler, C. C. C.	397.50
30,	244	F. C. Elliot	50.00
Total disbursements for November, 1940			\$6,915.39

CONSIDERATION OF LAND UNDER CHAPTER  
18296, ACTS OF 1937

Letter was submitted from the Board of County Commissioners of Dade County stating that the Civil Aeronautics Authority desired that site for Airport be furnished in the vicinity of Homstead and suggested 640 acres of land in Dade County, being the

E $\frac{1}{2}$  of Section 11 and W $\frac{1}{2}$  of Section 12, Township 57 South, Range 39 East,  
as a suitable tract for that purpose.

Dade County submitted offer of \$1 an acre for the land which vested in the State under Chapter 18296, and agreed that the timber aggregating approximately 120,000 feet could be removed by the Trustees.

Trustees declined to sell the land at the price offered, but it was agreed to issue permit to the Civil Aeronautics Authority to use the tract as long as needed by the Federal Government, the Trustees reserving the right to sell the timber and have it removed from the land.

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Offer from G. L. Miller was submitted to purchase timber from land applied for by Dade County in the foregoing paragraph. No action taken.

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Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
December 17, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.  
Nathan Mayo, Commissioner of Agriculture.

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Minutes of the Trustees dated December 10th, 1940, approved.

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The Secretary submitted a proposal from Rose Printing Company to print the Minutes of the Trustees for the years 1939-1940. Proposal was made at the rate of \$2 per page, being slightly less than 20 per cent below the former bid

of \$2.55 per page, which was the lowest bid received for printing Volume 20. Trustees Minutes.

Motion was made seconded and adopted to accept proposal of Rose Printing Company to print Volume 22, Trustees Minutes, at a price of \$2 per page according to specification required for Volumes 20 and 21.

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The Trustees deferred action on proposal from A. R. Richardson to enter into contract for sale of all lands held by the Trustees under Everglades Drainage District tax sale certificates on the following basis:

Trustees to receive amount of certificates plus 10%; any amount over and above face of certificate plus 10% to be divided: 30% to the Trustees and 70% to A. R. Richardson.

All expenses in connection with sales to be borne by Mr. Richardson.

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Action was deferred on application from the State Road Department for additional right of way adjacent to Overseas Highway in Dade and Monroe counties, the three members present desiring the full membership present for consideration of the request.

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Request was submitted from Carl Widdell, West Palm Beach, on behalf of Board of Public Instruction for Palm Beach County, applying for either Tract 27 or 28, Section 31, Township 43 South, Range 37 East, Palm Beach County, on which it is desired to construct a negro high school building. Information was given that the two tracts applied for are under lease at the present time.

Motion was made seconded and adopted to sell to the Board of Public Instruction of Palm Beach County for school purposes, either of the lots applied for, at a price of \$100—sale to be effective at the expiration of lease.

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The Secretary reported that the Trustees hold Everglades Drainage tax sale certificates on a number of parcels of land which vested in the State under Chapter 18296; that it would be desirable, where application to purchase is received under Chapter 18296, that the Trustees also authorize sale under Everglades Drainage tax certificate at a price equal to face of certificate plus 10%, or not less than \$5.

Motion was made seconded and adopted that the recommendation of the Secretary become the action of the Trustees, and it was so ordered.

Action was deferred on request from Everglades Drainage District for adoption of resolution by the Trustees,

authorizing the State Treasurer to release certain Everglades Drainage District bonds heretofore deposited as collateral to \$300,000 loan from the Trustees to the Drainage District.

The following bills amounting to \$2,184.80 were approved and checks ordered drawn in payment therefor:

Capital Office Supply Co., Tallahassee, Fla.....	\$ .60
Western Union Telegraph Co., Tallahassee, Fla.....	3.39
Southeastern Telephone Co., Tallahassee, Fla.....	6.97
Postal Telegraph-Cable Co., Tallahassee, Fla.....	.91
Geo. D. Barnard Stationery Co., St. Louis, Mo.....	36.25
M. C. McIntosh, Asst. Attorney General.....	14.66
F. A. Currie, West Palm Beach, Fla.....	135.00
Palm Beach Publications, Inc., West Palm Beach, Fla. ....	183.00
George O. Butler, C. C. C., West Palm Beach, Fla. ....	18.70
W. B. Granger, Belle Glade, Fla. ....	15.75
S. S. Savage, Field Agent, Ocala, Fla.....	244.05
F. E. Bayless, Jr., Land Clerk, Tallahassee, Fla.....	78.65
Burroughs Adding Machine Co., Jacksonville, Fla. ....	7.75
S. S. Savage, Field Agent, Ocala, Fla.....	164.12
F. C. Elliot, Secretary & Engineer—December Salary .....	400.00
F. E. Bayless, Land Clerk—December Salary.....	275.00
M. O. Barco, Clerk-Stenographer — December Salary .....	175.00
Jentye Dedge, Clerk-Stenographer — December Salary .....	175.00
S. S. Savage, Field Agent—December Salary.....	200.00
H. L. Shearer, Clerk in Land Office—Part Time .....	50.00
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	\$2,184.80

Financial Statement for month of November 1940, is as follows:

#### FINANCIAL STATEMENT FOR NOVEMBER 1940 RECEIPTS

Various land sales .....	\$ 1,050.00
Land sales under Ch. 14717 Acts of 1931 .....	150.00
Sand, shell and gravel leases.....	561.53
General lease .....	37.50
Grazing lease .....	351.38
Mineral lease .....	48.75
Saw Grass lease .....	51.67
Farm lease .....	22.50
Reclaimed land lease .....	18.75
Lake bottom lease .....	7.50



Pipe line permit .....	375.00
Reimbursement for advertising land sale .....	10.50

Total receipts during month .....	\$ 2,685.08
Balance on hand November 1, 1940 .....	177,120.81

	\$179,805.89
Less disbursements .....	9,643.26

Balance November 30, 1940 .....	\$170,162.63
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## BALANCES IN BANKS NOVEMBER 30, 1940

The Atlantic National Bank, Jacksonville, Fla. ....	\$138,623.69
The Florida National Bank, Jacksonville, Fla. ....	17,821.31
The Capital City Bank, Tallahassee, Fla. ....	12,717.63

Total in Banks .....	\$169,162.63
Cash on hand .....	1,000.00

\$170,162.63

## DISBURSEMENTS

Date 1940	No.	In Favor of:	Amount
Nov. 15,	11831	Southeastern Telephone Co....	\$ 19.63
	11832	Postal Telegraph-Cable Co.....	.56
	11833	Western Union Telegraph Co. ....	4.83
	11834	W. B. Granger .....	24.00
	11835	S. S. Savage .....	87.65
	11836	E. G. Hamilton .....	45.00
	11837	J. F. Cochran, P. M. ....	10.00
	11838	Cancelled .....	
	11839	Sou. Fla. Conservancy Dist.....	8,206.59
27,	11840	F. C. Elliot .....	400.00
	11841	F. E. Bayless .....	275.00
	11842	M. O. Barco .....	175.00
	11843	Jentye Dedge .....	175.00
	11844	S. S. Savage .....	170.00
	11845	H. L. Shearer .....	50.00

Total disbursements for Nov. 1940.....\$9,643.26

ACCOUNT UNDER CHAPTER 18296  
NOVEMBER 1940

Balance November 1, 1940 .....	\$407,018.32
Receipts during month—land sales .....	54,568.56

\$461,586.88

Less disbursements ..... 6,915.39

Balance November 30, 1940..... \$454,671.49

**BALANCES IN BANKS NOVEMBER 30, 1940**

The Atlantic National Bank, Jacksonville, Fla. .... \$450,054.72

The Capital City Bank, Tallahassee, Fla. .... 4,616.77

Total amount in banks ..... \$454,671.49

**DISBURSEMENTS**

Date	No.	In Favor of:	Amount
1940			
Nov. 15,	210	Commercial Office Supply Co.....	\$ 83.50
	211	Capital Office Supply Co.....	45.80
	212	Capital City Publishing Co.....	83.00
	213	Railway Express Co. ....	8.55
	214	H. E. Carter .....	18.48
	215	D. F. Burnett, Jr., C. C. C.....	13.24
	216	J. L. Barber, C. C. C.....	66.40
	217	R. W. Caldwell, c/o Ray E. Green, C. C. C.....	20.00
	218	G. C. Wood, c/o Geo. O. Butler, C. C. C. ....	71.00
	219	C. M. Knight, c/o Geo. O. Butler, C. C. C. ....	20.00
	220	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.....	1,790.00
	221	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C.....	1,363.00
	222	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C. ....	150.00
	223	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C. ....	67.50
	224	Stimson & Fletcher, c/o Geo. O. Butler, C. C. C. ....	100.00
	225	Robert R. Nahrgang, c/o Geo. O. Butler, C. C. C. ....	467.50
	226	J. C. Hill, c/o Elliot W. Butts, C. C. C. ....	95.00
	227	J. F. Cochran, P. M.....	50.00
	228	F. W. Balch, c/o Ray E. Green, C. C. C. ....	174.00
	229	C. M. Gay, C. C. C.....	460.50
	230	H. D. Howell, C. C. C.....	34.92
27,	231	Frank C. Pelot .....	175.00
	232	Helen Phillips .....	110.00
	233	Mary Evans Voss .....	85.00
	234	Jentye Dedge .....	25.00

235	M. O. Barco .....	25.00
236	A. C. Bridges .....	275
237	Juanita Williams .....	150.00
238	R. F. Vason .....	85.00
239	Roy Germany, c/o W. A. Wil- liams, Jr., C. C. C. ....	116.00
240	Roy Germany & P. B. Revels, c/o W. A. Williams, Jr., C. C. C. ....	90.00
241	Ford W. Heacock, c/o Geo. O. Butler, C. C. C. ....	32.00
242	H. H. Hart, c/o Geo. O. Butler, C. C. C. ....	117.50
243	B. Y. Free, c/o Geo. O. Butler, C. C. C. ....	397.50
29, 244	F. C. Elliot .....	50.00
Total disbursements for Nov. 1940.....		\$6,915.39

#### BILLS UNDER CHAPTER 18296

Pursuant to action of the Trustees November 29, 1940,  
refund checks were issued as follows:

##### DECEMBER 7th

A. N. Kennedy, Palm Beach County .....	\$ 692.50
L. L. Knight, Palm Beach County .....	73.50
L. A. Knight, Palm Beach County .....	55.00
R. W. Sanders, Palm Beach County .....	255.00
Archie R. Harris, Palm Beach County .....	91.00
A. N. Kennedy, Palm Beach County .....	42.50
Monarch Orange Co., Sumter County .....	90.00
\$1,299.50	

##### DECEMBER 12th

Rodolphus W. Howland, Palm Beach County .....	\$ 3.50
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##### DECEMBER 16th

George O. Butler, C. C. C., Palm Beach County .....	\$ 2.50
Putnam Lumber Company, Dixie County .....	30.00
\$ 32.50	

The following bills amounting to \$1,202.25 were approved  
and checks ordered issued in payment therefor:

Capital City Publishing Co., Tallahassee, Fla. ....	\$ 21.45
Capital Office Supply Co., Tallahassee, Fla. ....	10.17
J. M. Lee, Comptroller—Refund transportation .....	20.31
R. B. Underwood, C. C. C., DeFuniak Springs, Fla. ....	63.56
Railway Express Agency, Tallahassee, Fla. ....	.25
H. E. Carter, Asst. Atty. General—Expenses .....	27.50
M. C. McIntosh, Asst. Atty. General—Expenses .....	7.86

Myrtle M. Culbreath, C. C. C. Hillsborough County	7.00
Capital City Publishing Co., Tallahassee, Fla.	26.25
Capital City Publishing Co., Tallahassee, Fla.	37.90
Frank C. Pelot, Clerk—December Salary	175.00
Helen Phillips, Clerk-Stenographer—December Salary	110.00
Mary Evans Voss, Verifier—December Salary	85.00
Jentye Dedge, Clerk-Stenographer—December Salary—Part Time	25.00
M. O. Barco, Clerk-Stenographer—December Salary—Part Time	25.00
A. C. Bridges, Accountant-Bookkeeper—December Salary	275.00
Juanita Williams, Clerk-Stenographer—December Salary	150.00
R. F. Vason, Verifier—December Salary	85.00
F. C. Elliot, Secretary & Engineer—December Salary—Part Time	50.00
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	\$1,202.25

Upon motion duly adopted, the Trustees adjourned.

GEORGE COUPER GIBBS,  
Attorney General—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
December 18, 1940

The Trustees of the Internal Improvement Fund met on this date in the Office of the Governor at the Capitol.  
Present:

Fred P. Cone, Governor.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General  
Nathan Mayo, Commissioner of Agriculture.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Secretary submitted a list of requests under Chapter 18296, and upon motion duly seconded and adopted action was taken on each as follows:

##### FELLSMERE DRAINAGE DISTRICT

Trustees modified the rules and granted permission to advertise approximately 14,800 acres of land



within the district, in Townships 31 and 32 South, Ranges 36 and 37 East, with a minimum bid of \$2000.

#### HIGHLANDS COUNTY

The Trustees recently allowed a minimum bid of fifty cents an acre on boom time subdivisions. Clerk now states that he can dispose of practically all remaining acreage if allowed to sell on the same basis per acre. Motion was made and adopted to permit reduction of minimum bid in Highlands on all acreage at the rate of fifty cents an acre if recommended by the Clerk to be sold at such price.

#### CITY OF PALATKA

Notice of foreclosure proceedings against property on which the City holds liens and which vested in the State under Chapter 18296, referred to the Attorney General for disposition.

#### DADE COUNTY

Union Congregational Church bid \$52 for lot 15 Plymouth Court, a S/D as per Plat Book 4, Page 78, Records of Dade County. Bid accepted. (Land also held by Trustees under Everglades Drainage tax certificates. Offer for such certificates also accepted.)

#### SEMINOLE COUNTY

City of Sanford and Seminole County, jointly, allowed to submit minimum base bid of not less than \$50 each for two parcels of land located in Grove Park and Sanford Grove. Desired as an airport site.

#### VOLUSIA COUNTY

Trustees declined request for base bid of sixty cents an acre on Remados Subdivision. Minimum bid of not less than \$1 an acre was agreed upon for advertising.

#### BREVARD COUNTY

DeSoto Beach Subdivision containing approximately 350 acres—Recommendation for minimum bid of \$2000 deferred pending request for further information.

#### LAKE COUNTY

Board of County Commissioners and Senator George F. Westbrook request rejection of bid of \$25 from Justine R. Padgett for tract of land between State Road and Lake Minnehaha near Clermont, on which parcel is a tract of large cypress trees of great scenic value to the State. Offer de-

clined and direct Trustees Agent to not accept application to purchase in future.

#### BROWARD COUNTY

Request for base bid of ten cents an acre for approximately 11,000 acres of Everglades land rejected by the Trustees.

#### PUTNAM COUNTY

Bid of \$20 from Rayonier, Inc., for SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 24, Township 8 South, Range 26 East—40 acres—rejected as property being leased by State Road Department for airport purposes. Clerk to be directed to not accept application to purchase unless submitted by State Road Department.

#### LEE COUNTY

Upon recommendation of Trustees Agent it was agreed to accept \$50 as minimum bid for advertising Lots 17 and 20, East Stadler Farms, containing 20 acres. Applied for by Walter G. Pearce.

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Upon motion seconded and duly adopted, the Trustees authorized issuance of right of way easements in favor of the State Road Department covering the following roads:

Hillsborough County—

Road. No. 545..... Project 5367..... SRD 155 Rev.

Dade County—

Road No. 4-A..... Project 5239..... SRD 2

Volusia County—

Road No. 21..... Project 5055..... SRD 84

The Secretary stated that the matter recently reported to the Trustees of one J. M. Lamb representing himself as an agent of the Trustees, had been referred to the Attorney General and was being taken care of by that office. Action approved by the board.

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Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

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Tallahassee, Florida,  
December 19, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

**Present:**

Fred P. Cone, Governor.  
 J. M. Lee, Comptroller.  
 W. V. Knott, Treasurer.  
 George Couper Gibbs, Attorney General.  
 Nathan Mayo, Commisisoner of Agriculture.

F. C. Elliot, Engineer and Secretary.  
 F. E. Bayless, Land Clerk.

## CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Trustees resumed consideration of requests under Chapter 18296, as submitted by the Secretary, and upon motion duly seconded and adopted on each item, the following action was taken:

**WASHINGTON COUNTY**

The town of Chipley was given permission to have advertised the  $W\frac{1}{2}$  of  $SE\frac{1}{4}$  of Section 21, Township 4 North, Range 13 West, 80 acres, based on a minimum bid of \$52.50—the tract to be used as a Golf course.

**SUMTER COUNTY**

Authority was given to accept as a minimum bid for advertising, the following amounts:

$N\frac{1}{2}$  of  $N\frac{1}{2}$  of Lot 8 Block 3 and Lot 9

Block 3 Gray's Addition to Wildwood ..... \$37.50

Lot 1 Block A Poinsettia Park, Wildwood ..... 15.00

**VOLUSIA COUNTY**

Old Spanish Mission at New Smyrna authorized to submit base bid of \$50 for advertising property owned by Florida State Historical Society.

**TAYLOR COUNTY**

Bid submitted by Board of County Commissioners of Taylor County—protest filed by Mrs. W. F. Calhoun, former owner. Action deferred pending further information.

**DUVAL COUNTY**

Bid of Reba G. Larsen to purchase  $N\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ , Section 30, Township 2 South, Range 26 East, protested by Mrs. Annie B. Ingram, former owner. Action was to allow protest and direct Clerk to readvertise, Mrs. Ingram having complied with the rules in reference to protests.

clined and direct Trustees Agent to not accept application to purchase in future.

#### BROWARD COUNTY

Request for base bid of ten cents an acre for approximately 11,000 acres of Everglades land rejected by the Trustees.

#### PUTNAM COUNTY

Bid of \$20 from Rayonier, Inc., for SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 24, Township 8 South, Range 26 East—40 acres—rejected as property being leased by State Road Department for airport purposes. Clerk to be directed to not accept application to purchase unless submitted by State Road Department.

#### LEE COUNTY

Upon recommendation of Trustees Agent it was agreed to accept \$50 as minimum bid for advertising Lots 17 and 20, East Stadler Farms, containing 20 acres. Applied for by Walter G. Pearce.

---

Upon motion seconded and duly adopted, the Trustees authorized issuance of right of way easements in favor of the State Road Department covering the following roads:

Hillsborough County—

Road. No. 545.....Project 5367.....SRD 155 Rev.

Dade County—

Road No. 4-A.....Project 5239.....SRD 2

Volusia County—

Road No. 21.....Project 5055.....SRD 84

The Secretary stated that the matter recently reported to the Trustees of one J. M. Lamb representing himself as an agent of the Trustees, had been referred to the Attorney General and was being taken care of by that office. Action approved by the board.

---

Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

---

Tallahassee, Florida,  
December 19, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.



**Present:**

Fred P. Cone, Governor.  
 J. M. Lee, Comptroller.  
 W. V. Knott, Treasurer.  
 George Couper Gibbs, Attorney General.  
 Nathan Mayo, Commisisoner of Agriculture.

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F. C. Elliot, Engineer and Secretary.  
 F. E. Bayless, Land Clerk.

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**CONSIDERATION OF SUBJECTS UNDER CHAPTER  
 18296, ACTS OF 1937**

The Trustees resumed consideration of requests under Chapter 18296, as submitted by the Secretary, and upon motion duly seconded and adopted on each item, the following action was taken:

**WASHINGTON COUNTY**

The town of Chipley was given permission to have advertised the  $W\frac{1}{2}$  of  $SE\frac{1}{4}$  of Section 21, Township 4 North, Range 13 West, 80 acres, based on a minimum bid of \$52.50—the tract to be used as a Golf course.

**SUMTER COUNTY**

Authority was given to accept as a minimum bid for advertising, the following amounts:

$N\frac{1}{2}$  of  $N\frac{1}{2}$  of Lot 8 Block 3 and Lot 9

Block 3 Gray's Addition to Wildwood \$37.50

Lot 1 Block A Poinsettia Park, Wildwood 15.00

**VOLUSIA COUNTY**

Old Spanish Mission at New Smyrna authorized to submit base bid of \$50 for advertising property owned by Florida State Historical Society.

**TAYLOR COUNTY**

Bid submitted by Board of County Commissioners of Taylor County—protest filed by Mrs. W. F. Calhoun, former owner. Action deferred pending further information.

**DUVAL COUNTY**

Bid of Reba G. Larsen to purchase  $N\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ , Section 30, Township 2 South, Range 26 East, protested by Mrs. Annie B. Ingram, former owner. Action was to allow protest and direct Clerk to readvertise, Mrs. Ingram having complied with the rules in reference to protests.

## SUMTER COUNTY

Forty acres of land in Citrus County assessed for taxes in Citrus County for three years. Certificates under Sumter County assessment vested title in the State under Chapter 18296. All taxes paid in Citrus County by owner of land—Walter Wynns. Action was to reject bid of I. M. Woodward under Sumter County sale and recommend that the Comptroller cancel Sumter County certificates.

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The Secretary recommended that where a party making protest to a bid complies with the rules adopted on the subject October 29, 1940, that the Trustees authorize Agents to readvertise the land and proceed with sales in the usual manner on the next following advertising and sales dates.

Upon consideration, the action of the board was as follows:

That the Trustees instruct the Agents, when protest rule has been complied with, to readvertise the land for sale, such readvertisement to be in the next regular advertisement for the sale of land under Chapter 18296, and to be offered on the sale date named in said advertisement. That the minimum bid becomes an amount equal to the protested bid plus 10%, or a greater amount if such greater amount has been deposited by the protesting party. The Trustees further direct that all protests heretofore entered, where the rule has been complied with, shall come within the same instructions.

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## PINELLAS COUNTY

Clearwater Elks Lodge No. 1525 request lower base bid on Seaside Assembly Lots desired as a site for Faith Mission a charitable organization. Action was that base bid of one-fourth 1932 assessed value be required—\$32.50.

## HERNANDO COUNTY

Recommendation of Clerk for lower base bids on several parcels of land was deferred pending receipt of further information.

## LEE COUNTY

Clerk of the Circuit Court recommends lower base bid for lot formerly owned by an old negro

as a home. Trustees authorize base bid of \$50 for advertising the property.

#### HILLSBOROUGH COUNTY

Trustees authorized minimum base bid of \$25 each for Lots 26 and 28, Block 1-A and Lot 10, Block 2-B, Southland Subdivision, applied for by Florence M. Hammons.

#### BROWARD COUNTY

Recommendation from Clerk to allow lower base bid on Lot 32, Block 142, Progresso. Trustees declined to allow lower base bid.

#### MANATEE COUNTY

Trustees accepted bid of J. E. Armstrong in amount of \$130 for property in Revised Long Beach Subdivision.

#### HILLSBOROUGH COUNTY

Clerk of the Circuit Court recommends that Lot 12, Block 24, Campobello, be withdrawn from sale on the ground that the lot was formerly owned by a World War veteran totally disabled. Trustees authorize Clerk to withdraw the lot from sale.

#### INDIAN RIVER COUNTY

City of Vero Beach requests lower base bid for advertising property desired as an airport site in connection with Civil Aeronautics Authority. Trustees authorize base bid of \$50—the land to be bid in by the City, if no higher bids, and used for airport purposes.

#### MANATEE COUNTY

Trustees declined request for lower base bid by B. H. and Ruthie Sadler for Lot 15, Block A High School Add., Section 25, Township 34, South, Range 17 East. 1932 assessed value \$500—Base bid of \$25 requested.

#### SUWANNEE COUNTY

Trustees rejected offer of \$5 for Lot 4, Block 5, Wellborn, Florida, on bid by S. G. Adams as former owner. Minimum bid of \$10 was agreed upon for advertising the lot.

#### DUVAL COUNTY

Upon recommendation of the Clerk, the Trustees rejected bid of Frank L. Brown on Lots 8 and 10, Block 2, Gillen—Duval County—and authorized readvertisement of the lots in order that husband

of former owner—J. L. Bartholf—might bid on the lots. Frank L. Brown concurred in request, owing to unusual circumstances.

#### SARASOTA COUNTY

Trustees authorized quit claim of State Road right of way reservation in Deed No. 81 to Board of Public Instruction of Sarasota County upon payment of \$1. Information was furnished by the Road Department that right of way through this tract would not be needed.

#### DADE COUNTY

Trustees declined offer from Lincoln Investment Company to purchase pine timber on the E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 12, Township 57 South, Range 39 East, containing 80 acres.

#### PALM BEACH AND DADE COUNTIES

Request from American Telephone and Telegraph Company for right of way across State lands between Palm Beach and Dade Counties, was considered. The Trustees agreed to accept 50 cents per running rod for right of way for buried cable line between West Palm Beach and Miami—right of way to be 26 $\frac{1}{2}$  feet wide, traversing approximately six miles of State lands. Easement deed was authorized upon receipt of proper description.

#### OKALOOSA AND SANTA ROSA COUNTIES

Southern Bell Telephone & Telegraph Company requests right of way 100 feet wide through Okaloosa and Santa Rosa counties for constructing line to Army Base at Valparaiso, Florida. The matter was referred to the Attorney General for investigation and report.

#### BREVARD COUNTY

Upon recommendation of the Clerk, the Trustees agreed to accept minimum bids on three tracts of land as follows:

1. For Methodist Church, Titusville—on W $\frac{1}{2}$  of Lot 1 Block 5 Plat of Titusville. Allow base bid of \$75.
2. For Charles A. Branch, former owner—on Lot 63, Neiman Heights, Section 28—Tp. 27—Rg. 37. Allow base bid of \$7.50.
3. For Howard G. Rowe, behalf of former owner B. S. Rowe—On Lot 6 Block 1 Re-Sub of Platts S/D of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 3,



Township 28 South, Range 37 East. Allow base bid of \$62.50.

#### LEE COUNTY

Trustees authorized minimum bid of \$22.50 on Lots 43, 45, 47, Block 7 Evans Add., applied for by former owner. Lower base bid allowed on account of improvements having been burned.

#### HAMILTON COUNTY

Trustees deferred action on request for lower base bid on Hamilton County land, it being desired that specific cases be submitted for consideration on individual merits.

#### FLAGLER COUNTY

Trustees authorized lower base bid in favor of Mrs. Augusta Gilmore on Lots 1, 2, and 3, Block 16, Town of Bunnell, information having been furnished that applicant is former owner, elderly and crippled. Trustees request Clerk to recommend reasonable base bid.

#### INDIAN RIVER COUNTY

Trustees declined to reduce base bid on land in Sections 18 and 19, Township 31 South, Range 39 East.

#### HILLSBOROUGH COUNTY

Board of County Commissioners of Hillsborough County request cancellation of taxes on land leased by the County from M. & W. Company at Wimauma and used as emergency landing field in cooperation with the State Road Department.

Upon advice that the Trustees did not have authority to grant request, the application was denied.

The Trustees recessed to meet at 3:30 P. M.

#### THREE-THIRTY P. M.

The Trustees met pursuant to recessed meeting of the morning, with all members present.

#### JACKSON COUNTY

Trustees authorized minimum bid of \$150 for two lots applied for by L. C. Butler, Sneads, Florida.

Mr. James R. Boyd, Jr., of 919 Lynch Building, Jacksonville, Florida, representing Best Foods, Inc., submitted to the Trustees the matter of property in Hillsborough County described as Lots 3, 4, 5, 6 and 7, Block

40 Harris Terminal S/D of Hillsborough County, title to which vested in the State under Chapter 18296, Acts of 1937. Statement was made that Best Foods, Inc., had owned and paid taxes on the property for years, but being unfamiliar with Florida tax laws the City taxes were paid for several years but State and County taxes escaped payment. Recently Regal Investment applied to purchase the property under the Murphy Act and the land was now being advertised for sale December 30th, 1940.

Mr. Boyd informed the board that when they found the land was being advertised he contacted Regal Investment Company and offered to reimburse them for all expenditures if they would withdraw their bid and allow original owners to bid it in. He declined, stating that his company would go as high as \$8,000. Also that there was an understanding between the investment companies that one would not bid against the other.

Mr. Boyd was asked if he could get a statement as to agreement between investment companies. He replied that he was afraid he could not, but that such statement was made to him.

Upon failure to deal with the Investment Company, Mr. Boyd stated that he requested the Clerk of the Circuit Court to furnish statement of full amount of all taxes and interest due on the Lots and that his Company was willing to make full restitution to the Trustees for all such amounts.

The Attorney General advised that the Trustees could not make settlement of taxes as requested by Mr. Boyd, as they were only authorized to sell as provided by the Act.

Mr. Boyd then stated that if the Trustees could not accept the amount of all outstanding taxes and withdraw the land from sale, he would make another attempt to deal with Regal Investment Company. If he failed, he would then come back to the Trustees and discuss the matter further.

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#### CONSIDERATION OF TRUSTEES MATTERS PROPER

Mr. J. H. Peebles reported to the Trustees that Roy Robinson, for whom he purchased Glades County land at a recent meeting, had been advised of an outstanding grazing lease on the land and it was agreeable with him to take title to the land at the expiration of the lease in May 1941.

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The following subjects were presented from the Land Department with action taken in each case as indicated:

Mr. Bayless reported that following action of the Trustees

on December 10th, he had notified Mr. Neill A. Campbell of action taken on his application to purchase submerged areas in Lake Worth, and had received letter from him accepting the terms of the Trustees—\$1000 an acre for the tract applied for. Sale of the land considered July 23, 1940.

Upon motion seconded and adopted, the Trustees authorized sale of the land to Neil A. Campbell at a price of \$1000 an acre.

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Motion was made seconded and adopted to grant five year grazing lease to E. P. Scarborough, on the S½ of Section 22, Township 39 South, Range 33 East, Glades County, the area to be placed under soil conservation and payments to be ten cents an acre for the first two years, fifteen cents an acre for the third year, twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year.

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The Trustees declined offer of \$4.25 from Dr. Walter Seigmeister for renewal of one on grazing lease covering Lot 6, Section 29, Township 35 South, Range 31 East, containing 16.47 acres in Highlands County.

Motion was made seconded and adopted to accept offer of \$50 from Gertrude Mansfield, represented by John Fite Robertson of Sarasota, for approximately 40/100 of an acre of submerged land adjacent to upland property of applicant in Section 1, Township 37 South, Range 17 East, Sarasota County.

Mr. Bayless reported that the area applied for had undergone considerable erosion and accretion and what is now land was formerly water and vice versa.

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Motion was made seconded and adopted to accept offer of \$45 from A. R. Roebuck for 45/100 of an acre of lake bottom land in Section 5, Township 43 South, Range 43 East, Palm Beach County, lying between property of Mr. Roebuck and the State Road in the vicinity of the Poor Farm northwest of West Palm Beach.

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Motion was made seconded and adopted to accept offer from R. E. Padgett, Okeechobee, of 15 cents an acre for one year grazing lease on approximately 200 acres of State land in Section 11, Township 38 South, Range 34 East, Okeechobee County.

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Motion was made seconded and adopted to accept \$200 an acre from J. B. Grant for 8.44 acres of State land in

Section 1, Township 44 South, Range 35 East, Palm Beach County, located East of Lake Harbor on the north side of the highway between the highway and the Government Levee.

Mr. Bayless reported that he had notified Dade County authorities of action taken December 10th with reference to leasing 640 acres of State land in Sections 11 and 12, Township 57 South, Range 39 East, Dade County, desired by the Civil Aeronautics Authority as an airport site in connection with the National Defense Program; that County Engineer Friedman had advised that Civil Aeronautics Authority did not desire a lease, the plan being to make an outright grant of \$156,000 for construction of the airport, which would then become the property of Dade County to be operated under conditions and regulations of the Civil Aeronautics Authority. Request was also made that the Trustees sell the timber on the land to the County at the price agreed upon in order that the trees be removed at the earliest possible date.

Motion was made seconded and adopted that the Trustees sell the land to Dade County at the price of \$1 an acre, plus \$600 for the timber, reversion clause to be included in the deed in case the tract should ever be used for other than airport purposes.

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The Trustees referred to the Attorney General the matter of land exchange in Sarasota County in connection with Myakka River State Park and Maryland Land & Transportation Company. Request was submitted that the Trustees issue another deed to the County, covering the poor farm tract, eliminating the reversion clause which stipulated that the land be used for county purposes only.

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Motion was made seconded and adopted to decline offer of \$100 an acre from J. M. Griffin for approximately 6½ acres of marginal land in Palm Beach County, lying outside the meander line and between property of Mr. Griffin and Belle Glade-Clewiston highway.

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The Trustees deferred action on application of Duval Engineering & Contracting Company for renewal of shell lease on areas in the St. Johns River.

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Motion was made seconded and adopted to renew shell lease in favor of Kinzie Brothers Steamer Line, Ft. Myers, upon payment of 15 cents per cubic yard for all shell removed from the areas covered by present lease. It was



stated that royalty in the lease now expiring was based on 10 cents per cubic yard.

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The Trustees declined offer of \$500 from Elmore Cohen, on behalf of client, for approximately 2 acres of sovereignty land in Monroe County, known as Little Conch Key.

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Walter L. Cooper of Sanford, who has acquired all rights of W. E. Kirchoff to lease from the State for salvaging timber from the Suwannee River, has submitted application that the Trustees issue new permit direct to him covering the territory leased to Mr. Kirchoff; minimum royalty payment to be \$125 per month and performance bond in amount of \$1000 to be furnished.

Upon motion seconded and adopted the Trustees agreed to issue new lease to Mr. Cooper upon payment of the above amounts and under terms and conditions as carried in former lease.

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The Trustees declined to accept \$2 offered by J. Leo Chapman, on behalf of Frank Rozelle and Susan Rozelle for quit claim of reservations in deed covering Lot 11, Section 17, Township 42 South, Range 37 East, Okeelanta Plantation Company's Plat No. 2. It was agreed, however, to accept \$5 for such release.

Motion was made seconded and adopted to accept offer of \$271.50 from R. E. Burchard, LaBelle, for the merchantable standing timber on Section 9, Township 46 South, Range 31 East, Hendry County, with the understanding that no dead timber would be removed.

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Motion was made seconded and adopted to decline offer of \$50 from Robert E. Beesley, West Palm Beach, for a small island in the north end of Lake Worth, containing approximately 1/3 of an acre.

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Upon motion seconded and duly adopted, the Trustees accepted offer of \$25 annually from Paul C. Albritton, on behalf of Albert Webster, for five year lease on parcel 100x600 feet of reclaimed land in Section 15, Township 38 South, Range 18 East, Sarasota County, located along Blackburn Point Bridge in Little Sarasota Bay.

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The Trustees declined to make exchange of land as requested by Model Land Company, the opinion of the board being that the land offered in exchange was not as well located as the State land applied for.

Motion was made seconded and adopted to accept offer of \$50 from Mrs. W. M. Bostwick, Jr., for three small spoil areas in the St. John River near the entrance to Drummond Creek, statement being made that the tracts are near property of Mrs. Bostwick and are desired for the purpose of eliminating squatters and other undesirable occupants. Sale was authorized upon condition that the War Department would have no objection to such disposition of the land.

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Motion was made seconded and adopted to pay Sugar Bowl Drainage District taxes on 80 acres of State land within the district, such taxes being for the years 1938, 1939 and 1940 in amount of \$164.16.

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Offer of \$10 annually submitted by Ralph Knowles, Islamorada, Florida, for fishing camp site 100x100 feet, located north of Upper Matecumbe Key, Monroe County, was declined.

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Motion was made seconded and adopted to accept offer of 50 cents per cord, submitted by W. J. Brooks, for fire wood to be removed from Sections 8, 9 and 13, Township 58 South, Range 37 East, Dade County; permit to contain provision that only dead and down timber was to be taken from the land.

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Upon motion seconded and adopted, the Trustees authorized one year grazing lease in favor of Cyril Baldwin on State land in Sections 7, 8 and 18, Township 46 South, Range 34 East, Hendry County, upon payment of ten cents an acre.

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Upon application of V. F. Edwards, motion was made seconded and adopted to issue grazing lease for a period of five years on 240 acres of State land, being the SE $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 20, Township 36 South, Range 20 East, Sarasota County. Payment to be at the rate of 10 cents an acre for the first two years, fifteen cents an acre for the third year, twenty cents an acre for the fourth year and twenty-five cents an acre for the fifth year.

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Motion was made seconded and adopted to accept offer of \$100 from M. Moore, Lake City, for the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 1, Township 3 South, Range 16 East, Columbia County, information having been furnished that the land has been in possession of the Moore and Rivers families for 75 years.

Mr. Bayless reported that pursuant to instructions from the Trustees he had made investigation of tract of land applied for by Mayor Alex McWilliams and City Engineer Harry W. Damerow, on behalf of the town of Vero Beach. The request was for approximately 200 acres of water bottoms between a marsh area owned by the City and the East Coast Canal. The City proposes to reclaim the entire area and eliminate mosquitoes and sand flies which constitute a nuisance at all times.

Motion was made seconded and adopted to accept \$2 an acre for the 200 acres applied for by the City of Vero Beach, the City to pay cost of advertising.

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Upon consideration of application from G. C. Durrance, on behalf of S. J. Davis, the Trustees authorized grazing lease for a period of one year on approximately 235 acres of State land in Section 32, Township 37 South, Range 35 East, and in Section 5, Township 38 South, Range 35 East, Okeechobee County, upon payment of 15 cents an acre.

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Request was submitted from Willard Utley of West Palm Beach, on behalf of Dr. V. A. Dodd and the Town of Lantana, offering \$500 for 8.60 acres of reclaimed land in Section 3, Township 45 South, Range 43 East, Palm Beach County, bordering on Lake Worth in the town of Lantana. Statement was made that 2.75 acres would be deeded to Dr. Dodd, who owns the adjoining property, and 5.15 acres to be retained by the City for park purposes, Dr. Dodd having agreed to pay the \$500 for the entire tract.

Motion was made seconded and adopted to accept offer of \$500 for the land applied for, plus cost of advertising, it being understood that tract to be deeded the town of Lantana shall be used for park purposes.

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Mr. Bayless reported that question had arisen with reference to acreage to be carried in oil leases in favor of Clark and Driggers, and the Minutes of December 4th, 1940, were read setting forth action taken on that date.

Motion was made seconded and adopted to approve Minutes of December 4th, and new lease was authorized executed for the additional areas applied for.

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Request was submitted from C. A. Shive that the Trustees accept \$1000 in full settlement of his Contract No. 18193-A covering 14.8 acres of land in Section 17, Township 42 South, Range 37 East, Palm Beach County. Information

was given that Mr. Shive has had considerable trouble with adverse claimants to the land and has also had 15 feet taken from the south end of the property, across its entire width of 1520 feet, for State Road purposes; that the amount remaining unpaid on the contract is \$1,022.58.

Upon motion seconded and adopted, the Trustees agreed to accept \$1000 cash in full settlement of Mr. Shive's Contract No. 18193-A.

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Motion was made seconded and adopted to refund \$1000 paid by Amphitrite Corporation for lease of certain water bottoms adjacent to Las Olas Boulevard in the City of Ft. Lauderdale. Action was taken based on information that the legislature of 1927 granted the property involved to the City of Ft. Lauderdale.

Check was ordered drawn in favor of Amphitrite Corporation.

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Information was presented to the Trustees that Helen Swope Osborn, an elderly woman without any means of support, had been occupying at her home a small tract of reclaimed sovereignty land in Volusia County owned by the State; that an effort was being made by authorities of New Smyrna to evict Mrs. Osborn from the premises on the ground that occupancy of the tract interfered with the City's park project.

Motion was made seconded and adopted to lease the parcel of land occupied by Mrs. Osborn to her at a price of \$5 annually for the remainder of her life.

The Land Clerk was requested to take up with the taxing authorities of the City of New Smyrna the matter of assessment for taxes of State lands.

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The Secretary presented bill from County Commissioners of Levy County in amount of \$319.40 representing expenses incurred in connection with timber trespass by T. T. Scott on land which vested in the State through foreclosure under Chapter 14572, Acts of 1929.

Upon consideration of the matter, the Trustees were of the opinion that they were not responsible for amounts expended by the County and declined to authorize payment of the bill submitted.

The Secretary was authorized to disburse amounts received on account of trespass by T. T. Scott on Levy County land, paying to the State, County and Trustees the proportionate part due each after deducting cost of investigation of trespass.



Motion was made seconded and adopted to accept offer of \$8.84 from Union Congregational Church of Miami, for Trustees' equity in Lot 15 Plymouth Court, Plat Book 4, Page 78 Amended—Dade County, covered by Everglades Tax Certificates No. 9573 and 9574, Sale of July 7, 1930. Deed was ordered issued and transmitted to purchaser.

Motion was made seconded and adopted to accept \$31.45 from Beatrice Styles for Lots 9 and 10, Block 41, Inlet City, which land came to the State through foreclosure of state and county tax certificates under Chapter 14572, Acts of 1929. Sale was recommended by Board of County Commissioners of Palm Beach County.

The Secretary reported that petition had been filed by the Clerk of the Circuit Court of Palm Beach County for correction of Masters' Deed, involving Lot 23, Block 7, Kelsey City, which lot should not have been included in foreclosure proceedings by the County, the taxes having been paid on the property.

The Trustees directed that upon receipt of order of the Court directing correction of Master's deed that the lot above described be stricken from the list of lands held by the Trustees through foreclosure.

Upon motion duly adopted, the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
December 28, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

Fred P. Cone, Governor.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

Judge Gibbs stated that Mr. James R. Boyd, Jr., of Jacksonville, had called to his attention the fact that Regal

Investment Company had made application to purchase property in Hillsborough County valued at approximately \$60,000 or \$70,000 formerly owned by Best Foods, Inc.; that Best Foods Inc., had failed to pay state and county taxes, but had paid city taxes, thinking such payment covered all taxes being ignorant of Florida law; that at a previous meeting of the Trustees Mr. Boyd had presented the subject to the board and had been instructed to endeavor to make arrangements with the applicant to purchase for withdrawal of property from sale, which Mr. Boyd had endeavored to do. Mr. Boyd now wires the Trustees as follows:

"In Re Best Foods property Tampa would appreciate Trustees withdrawing property from sale advertised December 30th Regal Investment Company desired one thousand dollar fee above taxes. My client ready and willing to pay all unpaid taxes and costs. Please advise other members of the Trustees. Kindest personal regards. Advise action of Trustees."

Whereupon, motion was made by Judge Gibbs, seconded by Mr. Knott, that the Clerk of the Circuit Court of Hillsborough County be immediately instructed to withdraw the property of Best Foods Inc. from sale until the Trustees shall have had an opportunity to make full investigation of the situation. Motion unanimously carried.

Mr. Elliot presented for approval right of way easement on St. Lucie Canal, from the Trustees of the Internal Improvement Fund to the United States of America, which right of way was being procured through Okeechobee Flood Control District.

Judge Gibbs stated that he had examined into the request and found the same to be in order and he could see no reason for denying the granting of same. The Secretary was instructed to procure signatures and forward to Okeechobee Flood Control District for delivery to proper authorities.

The following refund checks amounting to \$718.50 were issued December 26th under authority of the Trustees November 29, 1940:

Harry Klein, Palm Beach County .....	\$255.00
J. E. Sims, Highlands County .....	60.00
Florida Sontaw, Inc., Polk County .....	25.00
Mr. Carson, C. C. C., Highlands County .....	2.50

Wilson H. Hunter, Clay County .....	376.00
	<hr/>
	\$718.50

Upon motion duly adopted the Trustees adjourned.

FRED P. CONE,  
Governor—Chairman.

ATTEST:

F. C. Elliot,  
Secretary.

Tallahassee, Florida,  
December 31, 1940

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor at the Capitol.

Present:

J. M. Lee, Comptroller.  
W. V. Knott, Treasurer.  
George Couper Gibbs, Attorney General.

F. C. Elliot, Engineer and Secretary.

Minutes of the Trustees dated December 17, 18, 19 and 28 approved.

#### CONSIDERATION OF SUBJECTS UNDER CHAPTER 18296, ACTS OF 1937

The Trustees had up for consideration the bid of Hillsborough County of \$1000 for numerous lots desired as an airport site to be used in connection with the National Defense program.

The Trustees having heretofore agreed on a lower base bid for advertising the land, and advertisement and sale having been held in accordance with Chapter 18296, motion was made seconded and adopted to accept bid of \$1000 from Hillsborough County for the land described in Report of sale December 20th. Deed was authorized issued to Hillsborough County.

Mr. James R. Boyd, representing Best Foods, Inc., reported to the Trustees that he had negotiated with Regal Investment Company, applicants to purchase Lots 3, 4, 5, 6, 7, Block 40 Harris Terminal S/D of Hillsborough County, formerly owned by Best Foods Inc., and at considerable expense had succeeded in eliminating Regal Investment Company as a bidder for the lots; that at the sale on December 30th he had bid in the property at one-

fourth of the 1932 assessed value and was requesting that the Trustees accept his bid of \$710.00.

The Attorney General explained that he understood that Best Foods, Inc., would bid not less than the amount of all taxes due against the property and did not feel that the Trustees should accept the bid submitted at sale December 30, 1940; that he would recommend and vote for acceptance of an amount equal to all taxes due.

General discussion was had on the subject. Mr. Boyd stated that it was his understanding at the meeting December 19th that if he could get Regal Investment Company out of the picture and bid the amount required, his bid would be accepted by the Trustees.

Attorney General Gibbs, stated that was not his understanding at all and moved that if Mr. Boyd, on behalf of his client Best Foods, Inc., is willing to raise his bid to \$1837.40, which is the amount of the delinquent taxes without interest, that the Trustees of the Internal Improvement Fund issue deed to his client for the land in Hillsborough County, bid in by his company December 30, 1940. Motion seconded by Mr. Knott and upon vote adopted.

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#### CONSIDERATION OF TRUSTEES MATTERS PROPER

Treasurer Knott recommended that in future all sovereignty lands as surveyed be identified by Lot Numbers referred to as "Sovereignty Lots" and not by the usual identification method of sections or parts of sections.

Motion was made seconded and carried that the recommendation of Mr. Knott be adopted as the action of the Trustees and that the records in the Land Office be made to correspond with the action taken.

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Upon motion duly adopted, the Trustees adjourned.

J. M. LEE,

Comptroller—Acting Chairman.

ATTEST:

F. C. Elliot,  
Secretary.



CHAPTER 610  
MONTHLY STATEMENT  
Receipts—Disbursements—Balances

1939			Receipts	Disbursements	Bal. Last Day
Balance	December 31, 1938				\$ 84,780.88
January		\$ 4,980.91	\$ 6,229.78		83,532.01
February		8,786.08	1,871.66		90,446.43
March		4,791.61	1,909.86		93,328.18
April		3,943.04	14,413.77		82,857.45
May		5,187.42	1,833.35		86,206.52
June		9,354.91	2,889.50		92,671.93
July		6,144.98	1,750.43		97,066.48
August		8,390.41	2,046.93		103,409.96
September		1,809.25	2,982.23		102,236.98
October		2,440.70	1,790.74		102,886.94
November		5,008.55	1,983.62		105,911.87
December		4,635.94	11,680.06		98,867.75
TOTALS			\$65,473.80	\$51,386.93	\$ 98,867.75
1940					
Balance	December 31, 1939				\$ 98,867.75
January		\$ 5,582.88	\$ 9,250.97		95,199.66
February		8,749.78	5,710.40		98,239.04
March		14,843.28	4,781.39		108,300.33
April		13,769.86	6,039.46		116,031.33
May		37,212.64	5,026.05		143,217.92
June		8,428.36	3,210.32		153,435.96
July		7,993.03	4,367.08		157,061.91
August		6,113.25	3,731.63		159,443.53
September		12,528.96	1,725.69		170,246.80
October		9,056.60	2,182.59		177,120.81
November		2,685.08	9,643.26		170,162.63
December		1,844.71	2,148.55		169,858.79
TOTALS			\$128,808.43	\$57,817.39	\$169,858.79

CHAPTER 18296  
MONTHLY STATEMENT  
Receipts—Disbursements—Balances

1940	Receipts	Dis- bursements	Bal. Last Day
January	\$ 679.18		\$ 679.18
February	2,588.40		3,267.58
March	5,491.33		8,758.91
April	6,209.97	\$ 3,700.16	11,268.72
May	2,369.18	705.10	12,932.80
June	16,386.52	5,340.43	23,978.89
July	234,847.61	5,878.95	252,947.55
August	104,291.05	7,583.97	349,654.63
September	46,924.36	6,039.61	390,539.38
October	21,689.56	5,210.62	407,018.32
November	54,568.56	6,915.39	454,671.49
December	138,663.32	3,256.25	590,078.56
TOTALS	\$634,709.04	\$44,630.48	\$590,078.56

**CHAPTER 610**  
**MONTHLY STATEMENT OF RECEIPTS**  
**LEASES**

1939	Land Sales	Farm, Grazing Hunting, Fishing, Land, General etc.	Oil, Mineral and Pipe Lines	Timber, Turpentine and Wood, etc.	Sand, Shell, Gravel and Rock	Interest	Reimbursements, Refunds, Releases, Redemptions	Misc.
January	\$ 367.35	\$ 4,130.70	\$.....	\$.....	\$ 475.36	\$.....	\$ 7.50	\$.....
February	7,357.36	1,014.36	.....	69.19	318.17	.....	27.00	.....
March	1,490.38	2,231.25	.....	.....	1,060.98	.....	7.50	1.50
April	1,927.10	169.50	.....	637.50	675.36	.....	533.58	.....
May	2,641.21	1,483.76	.....	.....	741.45	.....	319.50	1.50
June	1,546.12	6,968.86	.....	93.75	695.68	10.50	40.00	.....
July	4,368.03	418.37	.....	222.78	779.92	.....	355.88	.....
August	6,757.47	1,048.05	.....	209.82	347.07	.....	26.50	1.50
September	727.71	295.49	.....	.....	744.95	.....	41.10	.....
October	1,410.33	459.90	.....	.....	529.22	.....	41.25	.....
November	2,412.57	327.49	375.00	.....	851.78	.....	1,041.71	.....
December	843.92	1,164.87	.....	2,294.21	322.44	10.50	.....	.....
<b>TOTALS</b>	<b>\$31,849.55</b>	<b>\$19,712.60</b>	<b>\$375.00</b>	<b>\$3,527.25</b>	<b>\$7,542.38</b>	<b>\$21.00</b>	<b>\$2,441.42</b>	<b>\$4.50</b>
<b>TOTAL ALL SOURCES.....\$65,473.80</b>								
1940								
January	981.67	3,521.37	75.00	294.38	665.46	.....	45.00	.....
February	658.58	5,281.21	.....	.....	2,809.99	.....	.....	.....
March	1,860.62	2,081.21	.....	10,079.86	216.98	.....	.....	4.61
April	12,036.39	1,083.75	.....	.....	591.17	.....	45.55	13.00
May	8,577.22	1,999.68	720.00	3,123.79	243.57	.....	22,548.38	.....
June	4,999.96	2,202.55	.....	506.25	719.60	.....	.....	.....
July	4,675.40	1,008.28	.....	1,287.00	614.27	.....	408.08	.....
August	377.70	4,471.72	.....	.....	1,157.08	10.50	116.25	.....
September	12,054.24	33.75	26.25	.....	349.72	.....	62.00	3.00
October	7,455.33	1,260.00	37.50	.....	296.27	.....	7.50	.....
November	1,200.00	89.30	423.75	.....	561.53	.....	10.50	.....
December	1,009.11	85.50	123.75	206.25	265.45	.....	152.65	2.00
<b>TOTALS</b>	<b>\$55,886.22</b>	<b>\$24,098.32</b>	<b>\$1,406.25</b>	<b>\$15,497.53</b>	<b>\$8,491.09</b>	<b>\$10.50</b>	<b>\$23,395.91</b>	<b>\$22.61</b>
<b>TOTAL ALL SOURCES.....\$128,808.43</b>								

# INDEX

## 1939-1940

### A

	Page
Achemire, B. C.—Offer Broward County land.....	87
Adams, S. G.—Bid Murphy Act land Suwannee County....	483
Adair, Kent, Ashby & McNatt—Barbara Danielson & Marian McCormick—Dade County land .....	306-414
Reservations Port St. Joe deeds .....	307
Adkins, J. C.—Levy County timber trespass by T. T. Scott .....	438-440
Agricultural Experiment Station Lake County—Murphy Act land for Station .....	303
Alachua County:	
McColskey, A. E.—Offer for land.....	349
Murphy Act bids presented .....	228
Albee, Geo. H.—Sarasota County land.....	122
Albritton, G. G.—Grazing lease Highlands County.....	30-89-137-424
Albritton, John W.—Fishing camp site Monroe County .....	252-257-269-273-281-282-298
Albritton, Paul C.—Offer Sarasota County land .....	64
Lease Sarasota County land.....	489
Alfred Destin Co.—Sand lease Bears Cut Dade County.....	190
Allen, Dan B.—Land lease outside levee.....	51-65-69
Allen, Tom—Levy County timber .....	142-190
Allen, Wm. P. & J. V. Keen—City of Miami—Murphy Act land for airport .....	167-181
Alley & Burns—Reservations Palm Beach County deed....	66
Altman, Ellis F.—Everglades tax land Palm Beach County.....	319-328
American Telephone & Telegraph Co.—R/W Murphy Act land Palm Beach County.....	439-484
American Legion Post—Reversion clause in deed.....	136
Amphitrite Hotel Corp.—Lease Broward County land.....	322-389-492
Ames, E. A.—Everglades tax land .....	43
Anderson, John Stanley—Offer Suwannee County land....	5
Anderson, Robert—Dade County land price.....	326-353-363
Arcadia, City of—Bid Murphy Act land DeSoto County .....	411
Armory Board—Murphy Act lands Clay County.....	367
Armstrong, Hoyt—J. A. Douglas protest Murphy Act bid..	408
Armstrong, J. E.—Manatee County bid Murphy Act land..	483
Arnest, Douglas—Offer Sarasota County land.....	427-454
Arnold, E. B. & E. Gran—Tax certificate on mortgage land .....	6
Ashmore, C. N.—West Dade Oil Co.—Oil lease Dade County .....	10
Ashton, Rudy—Grazing lease Hendry County.....	113
Atlantic Coast Line Railroad—Kissimmee land .....	330

	Page
<b>Attorney General (George Couper Gibbs):</b>	
Baker, L. R.—Abstract for Emery J. Thomas.....	164
Deed form Murphy Act deeds.....	228-233
Eagle Bay Drainage District tax liens.....	119
Fire control Everglades lands.....	58
Foreclosure Virginia Key mortgage.....	59
Ft. Pierce Financing & Construction Co., St. Lucie County land.....	101
Futch Act—Opinion on taxes.....	435
Gulf County land trespass.....	101
Legal questions Murphy Act lands.....	244
Legislation on State conveyances.....	70-74
Manatee Valley Drainage District—lands under Mur- phy Act.....	302
Notice A. S. King suit, Murphy Act lands.....	233
Palatka, City of—Protest Murphy Act sale.....	379-395
Sale Lake Worth land—Neil Campbell.....	468
Sand & Shell operators—Trespass.....	194
State Road Dept.—R/W Old Tampa Bay.....	293
Test suit Murphy Act land.....	109
Tidewater Red Cypress Company—Lease.....	287
U. S.—Title to Coastal lands.....	7-53-340
U. S. District Court—Murphy Act lands Citrus County suit.....	161
Virginia Beach Bonds—Virginia Key land.....	288
Wilson Cypress Company—Timber trespass.....	32-101
<b>Ausley &amp; Ausley:</b>	
Clark, Florence L.—Permit Lake Iamonia.....	397
Moon, Clarence O.—Offer Pinellas County land.....	132
Austin, Pearce & J. C.—Bid Highlands County land.....	435
Avon Park, Town of—Bid Murphy Act land.....	445-446
Atwell, I. G.—Pedro Grau—Offer Palm Beach County land.....	194-222-297

## B

<b>Bailey, C. A.:</b>	
Cochran, J. E.—Everglades tax land Palm Beach County.....	423
Offer Palm Beach County land.....	320
Reservations Palm Beach County deed.....	330
Simonson, R. J.—Offer for land.....	56
Bailey, F. N. K.—Tax certificates C. C. Townes sale.....	152
<b>Baker County:</b>	
Burnsed, J. D.—Land for Taylor High School.....	22-31
Mann, T. O.—Offer for land.....	259
Refund—L. N. Rewis occupying land.....	139-189
State Road Dept., R/W Murphy Act land.....	432
<b>Baker, Harry Lee, State Forester:</b>	
Land reconveyance for State Park.....	41
Report on Levy County land.....	254
<b>Baker, L. R.:</b>	
Lake Osborne land for private owners.....	274
Reservations Emery J. Thomas deed.....	188
Thomas, Emery J.—Abstract foreclosed land.....	41-164



	Page
Baldwin, Cyril—Grazing lease Hendry County.....	224-248-452-490
Ball, Jas. A., Jr.—Abstract on foreclosed land.....	120
Barco, M. O.—Salary Murphy Act land.....	333
Barnes, A. D.—Dade County Park Dept.— Permit Miami lock site .....	10
Barr, H. A.—Lease Palm Beach County land.....	21
Bartholf, J. L.—Protest Frank L. Brown Murphy Act bid.....	483
Bass, Mrs. Bertha L.—Quit claim contract.....	113
Bass, Lloyd—Farm lease Palm Beach County.....	113
Bass, T. L.—Check for lease payment lost.....	382
Baumgardeur, R. U.—Timber lease Citrus County.....	362
Baya, Geo. J.—Reservations Dade County deed.....	307
Bay County:	
Manghum, A. P.—Permit cabbage palms .....	257
Trespass Standard and Gulf Oil Companies.....	101
Bay View Homes—Van Roy, F. S.—Reservations in deed.....	362
Bayless, F. E.—Land Clerk:	
Baker County land—L. N. Rewis claim.....	139-189
Bond for T. L. Bass check.....	382
Broward County—Alfred Huss lease .....	389
Delinquent purchase contracts .....	14-103
Fishing camps on Dead Lakes .....	139
Legislation on land conveyances .....	70-74
Meyer, J. W.—Timber Withlacoochee River .....	417
Plat Ritta section Palm Beach County.....	89
Purchase Buick car .....	248-308-353
Seminole Indian land exchange.....	299-306
Starling N. M.—Mortgage foreclosure.....	22
Tax certificate on mortgage land.....	6-222
Taxes on Indian Reservation.....	299-306
Tidewater Red Cypress Co.—Timber lease .....	287
Beach, Annie B.—Reservations in deed .....	66
Beacham, John R.:	
Lake Osborne land for Palm Beach County.....	274
Lake Worth Dr. Dist.—Bid Murphy Act lands.....	279
McDougald, A. W.—Protest Harry Klein M.A. bid.....	433
Palm Beach Gas Co.—Protests Harry Klein Murphy Act bid .....	434
Beaty, Rachel T.—Broward County land.....	321-357
Beck, Chas.—Everglades tax land Palm Beach County.....	281-294
Beck, Hubert D.:	
Everglades tax land Palm Beach County.....	226
Reservations A. A. Patrick deed.....	21
Beers, Perry J.—Grazing lease Broward County.....	30
Beesley, Robt. E.—Lake Worth Island.....	489
Bell, B. R.—Lease Palm Beach Pistol Club.....	133
Bennett, Cornelia Woolley:	
Lake Osborne land sale .....	281
Refund on purchase .....	389
Bennett, E. R.—Clerk Circuit Court Broward County:	
Murphy Act land—Former owner policy.....	244
Murphy Act land—Hearing on procedure.....	172-203-215-279-285
Bennett Gardens Corp.—Murphy Act sale Palm Beach County .....	208

	Page
Berson, Wm.—C. D. Morris timber lease Dead Lakes.....	382-415
Berdeau, LeRay—Palm Beach County sale protested.....	372
Berquist, E.—Murphy Act land bid .....	303
Bessemer Properties:	
Offer Palm Beach County land.....	234
Sale Neil A. Campbell .....	373
Best Foods Inc.—Jas. A. Boyd—Protest Murphy Act bid Hillsborough County .....	485-493-495-496
Bethel, J. U.—Cyrus Mackey—Pinellas County land.....	81-89-122-132
Biehn, John A.—Everglades tax land Dade County.....	60
Bills Approved—See Monthly Financial Statements.	
Black, Jefferson W.—Offer for palmetto plants.....	190
Blake, Edgar—Gadsden County—Murphy Act land procedure .....	174
Blanchard, Robert—Timber lease Choctawatchee River....	258
Blanchard, W. G.—Oil lease application.....	8-26
Bland, W. A.—Reservations Palm Beach County deed....	99
Blocker, John C.—Modine & Boone—Permit Big Bayou in Pinellas County .....	273
Board Commissioners State Institutions—Levy County work camp .....	50-143
Board Public Instruction Sarasota—R/W easement Mur- phy Act deed .....	484
Boatwright, Angus P.—Fishing camp lease Monroe County .....	257-278-282-298
Boca Ceiga Bay—War Department request spoil area.....	212
Boca Raton, City of—Bid Murphy Act land.....	435
Boettcher, Claude K.—Protest Palm Beach County sale Neil A. Campbell .....	372
Bonds—Everglades Drainage District bonds released.....	423-473
Bongiovanni, Joe—Land lease Palm Beach County.....	56
Bonita Preserving Company—Everglades tax land.....	43
Bonner, Leo:	
Highlands County land offer .....	426
Okeechobee County land offer.....	453
Boone, F. M. & A. B. Modine—Sand lease Pinellas County	134
Booth, John Parkhurst—Canal reservations Monroe County .....	30
Booth & Dickinson—Paul Hornlein—Pinellas County land .....	314-356
Boozer & Boozer—Annie B. Beach—Reservations released	66
Bostwick, Mrs. W. M. Jr.—Islands in St. Johns River.....	490
Bowman, S. H.—Real Estate Board—Procedure Murphy Act sales .....	168
Boy Scouts Ship No. 19—Lease Biscayne Bay area.....	308-321
Boyd, Elbridge—Deed Sarasota County land.....	454
Boyd, J. M.—Rock pit Palm Beach County.....	188
Boyd, Jas R. Jr.—Best Foods Inc.—Protest Murphy Act bid Regal Investment Co.....	485-493-495-496
Boydston, D. W.—Lease Palm Beach County land.....	21
Boydston, George L. & Cora A.—Sale Lake Osborne land	281
Bradenton, town of—Rental Murphy Act land.....	450-451
Bradenton Dredging Co.—Shell lease Manatee River.....	190-426

	Page
Braddock, R. L.—Shore Acres Plantation—	
Grazing lease Palm Beach County .....	359
Lease assigned J. H. Parker .....	417
Branch, Chas. A.—Murphy Act bid Brevard County .....	484
Brand, Chas. G.—Bid Murphy Act land Monroe County .....	368
Branford High School—Land for forestry work .....	399-415
Branning, H. Pierre—Bonita Preserving Co.—Everglades tax land .....	43
Brantley, George—Hamilton County land—S. S. Savage report .....	9-31
Breckenridge, L. D.—Everglades tax land Dade County .....	52
Bregar, J. M.—Temple Terrace bid Murphy Act land Hills- borough County .....	375-407-410
Brent, R. C. Jr.—U.S. Soil Conservation—Citrus County land Withlacoochee Coterminus project .....	309-315
Brevard County:	
Branch, Chas. A.—Bid Murphy Act land .....	484
Clerk Circuit Court—Timber Titusville Airport .....	432
Consolidated Operations Corp.—Mineral sand lease .....	220-225-258-298-339
DeSoto Beach—Bid Murphy Act land .....	418-479
Hurst, A. H.—Offer for land .....	399
Melbourne-Tillman Dr. Dist.—Bid Murphy Act land .....	243-253-262-342
Rowe, Howard G.—Bid Murphy Act land .....	484
State Road Dept.—R/W State roads .....	304-348-444
State Road Dept.—R/W Murphy Act land .....	303-432-467
Titusville Methodist Church—Bid M.A. land .....	484
U. S. Engineer—Courtenay Channel area .....	177
Walker, John C.—Hunting privileges M.A. land .....	446
Brewer, Castle—Protest Murphy Act bid by Herbert Reed	408
Brockway, Geo. S.:	
Palm Beach County Sale Neil A. Campbell .....	372
West Palm Beach, town of—Spoil from canal .....	97
Bronson, Geo. C.—W. J. Steed offer for Osceola County land .....	125
Brooks-Scanlon Corp.—Taylor County land .....	425
Brooks, W. J.—Offer Dade County wood .....	490
Brorion, Carl—Peninsula Telephone Co.—Murphy Act land Sarasota County .....	334
Broward County:	
Achemire, B. C.—Offer for land .....	87
Amphitrite Hotel Co.—Lease river bottoms .....	322-339
Amphitrite Hotel Co.—Refund lease payment .....	492
Base bid Murphy Act land .....	480-483
Beaty, Rachel—Submerged land offer; protest .....	321-357-358
Beers, Perry J.—Grazing lease .....	30
Bennett, E. R., Clerk Circuit Court—Murphy Act land—Former owner policy .....	244
Branning, H. Pierre—Bonita Preserving Co., Ever- glades tax cert. land .....	43
Bryan & Hott—Greenlawn Realty Co. mortgage .....	20
Clark, Walter R.—North New River Canal land .....	307-330
Clark, Walter R.—M.C. perfect offer for land .....	65-189

	Page
County Commissioners—Borrow pit State Road Dept.	253
Driggers, H. J.—Offer for land	65
Durham, Lewis—Newmans survey land	258
Flamingo Groves, Inc.—Oil reservations	299
Fort Lauderdale—Taxes on State land	135
Forman, H. M.—Grazing lease; land	63-70-256
Fraser, J. B.—Sand permit New River Sound	149
Huss, Alfred—Land lease Ft. Lauderdale	339
Lester, Hugh—New River Island	191-329
Miller, Gerry—Lease Everglades tax land	177
Napoleon B. Broward Dist.—Newman's survey	73
Napoleon B. Broward Dist.—Permit N. New River Canal	400
Ocean River Corp.—Reservations	299
Parks, C. E.—Lease Newmans survey	189
Sandusky, C. M.—Everglades tax land	9
Sou. Bell Telephone Co.—Request R/W	53-61
State Road Dept.—R/W for road	72
U. S. Civil Aeronautics—Beacon Tower site	230-232
U. S. Navy Dept.—H. M. Forman lease	383-390
U. S. Naval Air Station—Lease modification	420-422
Browne, George—R/W Old Tampa Bay	271
Brown, Frank L.—Protest J. L. Bartholf Murphy Act bid	483
Brown, Robert M.—Shell lease renewal	194
Bryan & Holloway—Reservations W. L. Cunningham deed Palm Beach County	351
Bryan, J. D.—Tax certificate Greenlawn Realty Company mortgage	20
Bryan, Tom—Dredging permit Broward County	19
Buchard, R. E.—Hendry County timber	176
Budd, Garland M., Jr.—Chester Key offer Book Key—Monroe County	424
Buie, G. A.—Emory Carter timber lease Columbia County	9-16-29
Bunker, Jonathon—U. S. request land quit claimed	74
Burch, H. M.—J. W. Black—Permit for palmettos	190
Burchard, R. E.—Timber lease Hendry County	331-489
Burket, J. F.—W. R. Grove offer Sarasota County land	259
Burket, W. Martin:	
Dead Lakes timber lease	30-73-113-384
Lease Gulf County timber	320
Tidewater Red Cypress Co.—Lease transfer	123-322
Burnham, E. P.—Murphy Act land Manatee County	450
Burns Lumber Co.—Timber trespass Levy County	89
Burnsed, J. D.—Land for Baker County school board	22-31
Burwell, W. H.:	
Everglades tax land for Martha Small Pittman	305
Murphy Act bid Dade County protested	377
Bushnell, Byrne E.—Quit claim deed Hillsborough County land	158
Butler, L. C.—Bid Murphy Act land Jackson County	485
Butler, Thos. W.:	
Lee, Marianne—Offer Sarasota County land	353
Reservations in deed	382



	Page
Butts, Elliot W.—Clerk Circuit Court Duval County.	
Supplies for Murphy Act sales.....	239
Byron. Mark—Fishing camp lease Dade County.....	452

## C

## Caldwell, Strafford:

Oil lease Monroe County.....	8
Reservations Dade County deed.....	115
Calhoun County—Survey Dead Lakes area.....	113-114
Calhoun, Mrs. W. F.—Protest Murphy Act bid Taylor County .....	481
Caloosahatchee River—Shell lease R. B. Stewart.....	455
Camp, Paul D.—Pinellas County land.....	226-236-258
Campbell, Chas. A.—Fellsmere Land Co., bid Murphy Act land Indian River County .....	411
Campbell, J. E.—Everglades tax land Dade County .....	143-149
Campbell, J. W.—Mayor Palatka:	
Murphy Act procedure.....	166
Protest Murphy Act sale .....	379-395
Campbell, Neil A.—Palm Beach County land sale .....	319-370-390-415-468-487
Canova, W. R.—S.A.L. Ry.—Release from H. O. Sebring lease .....	17
Cantey, R. M.—Exchange mortgage land Sarasota County.....	111-383
Cape Florida—George E. Holt fishing camp.....	389
Carlor Company—War Department protest .....	160
Carson, W. Z.—Murphy Act land Highlands County.....	435
Carter, Emory—Timber lease Columbia County—S. S. Savage report .....	9-16-29
Carter, J. Louis—Lake Osborne land, Palm Beach County .....	351
Cassels & Trinkle—A. A. Ellis—Reservations Ida Nelson deed .....	88
Sanders, R. W.—Canal reservations .....	141
Cason, F. W.:	
Virginia Key land for causeway Dade County .....	291-315-325-327-326
Sutton, J. M.—Interest in land .....	315-325-336
Kreamer Island purchase Palm Beach County.....	235
Cason, Thos. A.—Grazing lease Highlands County.....	219
Cates, P. M., Inc.—Everglades tax land for Thad Whidden .....	19
Catholic Church Palatka—Bid Murphy Act land.....	451
Chalker, Geo. A.—Offer Palm Beach County land.....	87
Chancey Bay Corp.:	
Extension lease payments .....	191
Lease assigned L. Maxy .....	398
Chancey & Chancey—Reservations Ocean River Corp. deed .....	295
Chancey, R. E. L.:	
Easement Hillsborough County—Tampa seaplane base .....	165
Hearing Murphy Act procedure.....	171
Spanish-American War Memorial .....	165
Chapman, J. Leo—Quit claim deed Palm Beach County land Frank & Susan Rozelle .....	489
Chauvin, V. J.—Grazing lease St. Johns County.....	397

	Page
Chewning, J. C.—Grazing lease Palm Beach County.....	224
Chipola River—W. Martin Burket timber lease.....	73
Chipley, town of—Bid Murphy Act land.....	481
Christian Church Sarasota—Offer for tax land.....	54
Chuluota Co.—Quit claim deed Sarasota County land.....	236
Citrus County:	
Baumgardeur, R. U.—Timber lease .....	362
County Commissioners—Murphy Act land.....	219
Murphy Act land assessed erroneously.....	482
Standard Cedar Co.—Lease cedar stumps.....	61-416
U. S. District Court—Decision Murphy Act land.....	161
U. S. Soil Conservation Service—M.A. land.....	309-354
U. S. Soil Conservation Service—State land.....	64-315
U. S. War Dept.—Dredging permit Crystal River.....	63
Van Roy, Frederick S.—Release mineral reservations .....	362
Civil Aeronautics Authority:	
Murphy Act land Dade County for airport.....	472
State land Dade County for airport.....	488
Tower site Murphy Act land.....	230-232
Clark, Florence L.—Permit Lake Iamonia.....	397
Clark, H. M.—Virginia Key land Dade County.....	320-349-361
Clark, Walter R.:	
Broward County land offer.....	65-307-330
Oil lease Dade County.....	161-179-182-184-227-280-321-466-491
Clary, A. J.—Offer Dade County land.....	453
Clay County:	
Armory Board requests Murphy Act land.....	367
Camp Blanding road R/W Murphy Act land.....	432
Fozzard, Charles & Harry—Sand lease.....	307
State Road Dept.—R/W M.A. land.....	467
Clearwater Harbor—Spoil area for War Department.....	212
Clerks Circuit Court—Murphy Act Agents:	
Close accounts end of year.....	458
Disposition Murphy Act certificates.....	284-343
Hearing on Murphy Act sales.....	279-285
Hillsborough County—Base bid Fla. Gardens.....	392
Listing of certificates .....	289
R/W County Roads Martin County .....	367
Request meeting to discuss procedure.....	204-208
Tax deeds on land .....	343
Cleveland, Chas. B.—Dade County land for John L. Patten .....	321-337-369-427-453
Cobb Realty Co.—Sarasota tax land for Christian Church.....	54
Cobb, T. T.—Rogers & Fuquay—Mineral reservations.....	351
Cochran, J. E.—Everglades tax land Palm Beach County .....	423
Cohen, Elmore:	
Conch Key offer Monroe County.....	489
Greer, V. N.—Palm Beach County land.....	416-424
Refund N. N. Starling foreclosure.....	22
Coker, A. V.—Hardee County land .....	268
Collier County—L. J. Thorpe offer for cross ties.....	329
Collins, J. E. & Esko—Suwannee County land.....	308
Collins, LeRoy—Southeastern Pipe Line Co.—Permit for pipeline .....	207-211

	Page
Collins, Mary C.—Carrol Dunscombe protest Murphy Act sale .....	434
Collins, Vivian—Adjutant General—Murphy Act lands Clay County, for Armory Board .....	367
Columbia County:	
Buie, G. A.—Emory Carter timber offer .....	29
Fogelberg, S. E.—Offer State land .....	135
Moore, M.—Offer for land .....	490
Rivers, L. W. A.—Offer State land .....	398-416-417
State Road Dept.—Deed to M.A. land .....	196
Comer, Bill—Dade County land for John L. Patten .....	338
Conant, Wm. Walker—Correction deed Thos. H. Horobin .....	399
Cone, H. I.—Dixie Lbr. Co.—Cypress timber Lake County .....	255
Conely, T. W. Jr.:	
Eagle Bay land .....	321-350
Grazing lease Glades County .....	192
Grazing lease Okeechobee County .....	99-113-123-134
Hunter, Jesse—Grazing lease Okeechobee County .....	314
Scarborough, E. P.—Grazing lease Glades County .....	278
Williams, F. H.—Grazing lease Glades County .....	257-278
Connell, D. T.—Connors Highway land Palm Beach County .....	331
Conch Key—Monroe County:	
Cohen, Elmore—Offer for land .....	489
Goetz, L. E.—Offer to purchase .....	87
Jacques, R. E.—Offer to purchase .....	140
Miles, Edith M.—Offer to purchase .....	14
Williams, Ross—Offer to purchase .....	16-21
Willis, I. N.—Offer to lease .....	400-416-427
Conservation Department:	
Mineral sand lease Brevard County .....	225
Shell lease Duval Engineering & Contr. Co. ....	454
Shell lease Kinzie Bros. Steamer Line .....	150
Consolidated Operations Corp.—Mineral sand lease	
Brevard County .....	220-225-268-298-339
Contracts:	
Bayless, F. E.—Land Clerk—Delinquent contracts .....	103
Stein, Fritz—Adjustment Palm Beach County land .....	140
Shive, C. A.—Settlement contract .....	491
Utter, Edw. B.—Assigned C. E. Thomas .....	80
Contract & Investment Co.—Adjustment Dunedin	
Syndicate mortgage .....	29-41-59-62
Cook, Robt. H.—Eagle Bay Dr. Dist. tax liens .....	115-119
Cooper, Geo. H.—Reservations Everglades tax land deed,	
Dade County .....	67-151
Cooper, Walter L.—Timber lease Suwannee River .....	489
Copeland & Therrell—Oil lease Dade County .....	256
Coral Gables, City of—Murphy Act land Dade County .....	247
Cotton, Jas. E.—Everglades tax land .....	97
Coulter, Francis—Requests employment .....	144
Courtenay Channel—Spoil area for War Dept. ....	177
Coward, C. W.—Grazing lease Orange County .....	398
Crandon, C. H.—Va. Key for Dade County Causeway .....	291
Crisp, L. C.—Sarasota County land .....	100

	Page
Croft, Willie—Union County land .....	84-90
Crofton & Wilson—Melbourne-Tillman Dr. Dist.— Murphy Act land Brevard County.....	243-253-262
Croom, W. H. Timber lease Dead Lakes.....	30
Cross, T. L.—Procedure Murphy Act lands.....	173
Crystal River—Dredging permit War Dept.....	63-82
Cummer Sons Cypress Co.—Protest W. E. Kirchoff tim- ber lease .....	275-313
Cunningham, W. L.—Reservations Palm Beach County deed .....	351
Currie, F. A.—Palm Beach County sale, Neil A. Campbell	373

## D

## Dade County:

Ames, E. A.—Everglades tax land .....	43
Am. Telephone & Teleg. Co.—R/W Murphy Act land	484
Baya, Geo. J.—Reservations in deed.....	307
Berquist, E.—Bid Murphy Act land .....	303
Biehn, John A.—Everglades tax land.....	60
Boy Scouts Ship 19—Lease Biscayne Bay area.....	308-321
Breckenridge, L. D.—Everglades tax land.....	52
Brooks, W. J.—Fire wood for groves.....	490
Burwell & Patterson—Protest sale M.A.....	377
Byron, Mark—Fishing camp lease .....	452
Caldwell, Stafford—Reservations in deed.....	115
Campbell, J. E.—Everglades tax land.....	143-149
Civil Aeronautics Authority—Airport land.....	488
Clark & Driggers—Oil lease .....	161-179-182-184-227-280-466-491
Clark, H. M.—Virginia Key land.....	320-349-361
Clary, A. J.—Offer for land.....	453
Cooper, Geo. H.—Reservations in deed.....	151
Copeland & Therrell—Oil lease C. E. Starr.....	256
Coral Gables—Murphy Act land for city.....	247
Daniels Towing & Salvage Co.—Sand lease.....	191
Danielson, Barbara—Offer for land.....	306-326-353-363-412
Destin Company, Alfred—Sand lease Bears Cut.....	133-190
Driggers & Clark—Oil lease.....	161-179-182-184-227-280-466-491
Edwards, Leo—Fishing camp lease .....	452
Griffith, B. Geo.—Offer for land.....	352-388
Hialeah, City of—Murphy Act land for park.....	338-354
Holt, Geo. E.—Fishing camp lease.....	389
Homestead Airport—Murphy Act land.....	472
Horobin, Thos. H.—Correction deed; land offers .....	6-54-190-352-360-399-414-443
Hutner, Joseph—Offer for land.....	306
Lee, John M.—Everglades tax land.....	18
LeGro, F. C. B.—Adjustment purchase.....	8
Lincoln Investment Co.—Murphy Act timber.....	484
Matthews, Wesley W.—Everglades tax land.....	359
Maule Industries—Sand lease Dumfoundling Bay.....	236-252
Miami, City of—Murphy Act land for airport .....	127-129-167-181-246
Miami, City of—Protest sale Laura M. Tobin.....	265
Miami Quarterdeck Club—Fishing camp lease.....	189



	Page
Miller, G. L.—Murphy Act timber.....	472
Model Land Co.—Land exchange.....	396-428
Moore, T. V.—Spoil area Biscayne Bay.....	307
Murphy Act land—Homestead airport.....	472
McCaskill, Jas. M.—Everglades tax land.....	67
McCormick, Marian D.—	
Offer for land .....	66-69-73-81-88-98-306-326-353-363-412
McNeill, J. B.—Everglades tax land.....	316
Overseas Highway—Right-of-way.....	473
Patten, John L.—Offer for land.....	321-337-369-453
Offer for material for fill.....	234-240-427
Permit Miami Canal lock site.....	10
Peters & Kemp—Everglades tax land.....	359
Pittman, Martha Small—Everglades tax land.....	305
Price reduction Everglades tax land.....	9
R/W Murphy Act land for County roads.....	445
State Road R/W Murphy Act land.....	480
Strubbe, Frank—Oil lease .....	349
Szady, John—Offer for land.....	69-188
Thomas, Grayden—Va. Key land.....	25-28-42-45-51-58
Thompson Realty Co.—Erroneous Cert. M.A. land.....	378
Tobin, Laura M.—Submerged land.....	183-224-264
Union Congregational Church—Everglades tax land.....	493
Murphy Act land .....	479
U. S. Bureau Entomology—Permit C.C.C. camp.....	120
U. S. Navy Dept.—Land for training field.....	373-375
U. S. Q. M. General—Land for bombing range.....	306-344-419
U. S. War Dept.—Permit Va. Key fill.....	157
Virginia Key land for County.....	281-291-315-325-327
Wallace, C B.—Offer for land.....	306
Walsh, W. E. Jr.—Land application.....	5
West Dade Oil Co.—Oil lease .....	21
W.I.O.D. Radio Station—Land for station.....	246-248-295
Dale, Edw. C.—Protest Palm Beach County sale.....	372
Dame, H. J.—Murphy Act deed description.....	367
Damerow, Harry—Indian River County land for Vero Beach .....	463-491
Dampier, Wm. D.—Protest W. R. Grove sale.....	259
Danielson, Barbara & Marian D. McCormick—	
Dade County land.....	66-69-73-81-88-98-306-326-353-363-412
Daniels, Oscar—Va. Key sale to Grayden Thomas.....	45
Daniels Towing & Salvage Co.—Sand lease .....	191
Darden, J. H.—Lease Old State Dyke.....	80
Daub, W. H.—U. S. War Dept.—Murphy Act land for Tallahassee airport .....	467
Davies, Marjorie & Joseph—Protest Palm Beach County sale to Neil A. Campbell.....	371-390-415-468-487
Davis, S. J.—Grazing lease Okeechobee County .....	14-491
Land lease .....	361
Dawsey, J. W.—Timber lease Lake Ocheesee.....	99
Dead Lakes Timber:	
Bayless, F. E.—Fishing camps on State land.....	139
Burket, W. Martin—Timber lease.....	30-73-113-123-320-322-384
Survey authorized .....	114

	Page
Morris, C. D.—Wm. Bersen timber lease.....	382-415
Robertson, J. L.—Lease poles .....	139
Tidewater Red Cypress Co.—Timber lease .....	123-322-345-347-363-374-384
Dedge, Jentye—Salary Murphy Act land.....	333
<b>Deeds:</b>	
Arnest, J. D.—W. E. Smith—Quit claim Sarasota County .....	454
Bland, W. A.—Reservations released .....	99
Boyd, Elbridge—Quit claim Sarasota County.....	454
Bushnell, Byrne E.—Quit claim Hillsborough County .....	158
Chuluota Co.—Quit claim Sara G. Gleason land.....	236
Conant, Wm. Walker—Correction deed .....	399
Dade County—Road reservations .....	445
Dame & Warren—Description Murphy Act deed.....	367
Fowler, Cody—Quit claim Hillsborough County.....	158
Ginn, Claude S.—Grantee changed .....	234-240
Harvey W. Seeds Post American Legion—Reversion clause .....	136
Hillsborough County—Airport site Murphy Act land..	495
Horobin, Thos. H.—Correction deed.....	7-399
Jones, Isaac S. H.—Correction deed Fla. Midland Ry. Co. ....	193
Leverett, R. W.—Quit claim Volusia County.....	57
Martin County—Road R/W .....	367
Murphy Act deed form adopted.....	233
Palm Beach County—Correction deed .....	493
Placie, W. J.—Quit claim Hillsborough County M.A.	230-231
Robertson, J. F.—Quit claim Sarasota County .....	454
Rozelle, Frank & Susan—Palm Beach County.....	489
Saunders, R. R.—Correction deed Indian River County .....	354-380
Smith, W. E.—Quit claim Sarasota County.....	454
Spear, G. A., Jr.—Quit claim Gleason deed.....	236
Starling, Bertha L. Bass—Quit claim contract.....	113
State Road Dept.—Quit claim Columbia County land..	196
State Road Dept.—R/W Murphy Act land.....	317-368
U. S. Engineer—R/W Okeechobee Levee .....	423
U. S. Engineer—R/W tree planting program.....	256
West Palm Beach—Murphy Act deeds.....	244
Dekle, Seth—Hearing Old Tampa Bay R/W.....	271
DeSoto Beach—Murphy Act bids Brevard County.....	448-479
<b>DeSoto County:</b>	
Arcadia, City of—Murphy Act land bid.....	411
Murphy Act bids presented.....	228
State Road Dept.—Murphy Act land.....	468
Treadwel, J. H. Jr.—Bid Murphy Act land.....	244
DeSoto State Park Association—Highlands County land:	
Refund taxes .....	44
C. C. Townes sale .....	77
Destin, Alfred—Sand lease Bears Cut Dade County.....	133
DeVane, J. P.—Bid Murphy Act land Jefferson County....	449
Dew, Jas. A.—Palm Beach County land.....	21-33-57
Diamond, Ruby—Murphy Act bid protested.....	408

	Page
Diffenbach, Rudolph—U. S. Biological Bureau—	
Wild Life Refuge State land .....	282
Dillard, Sherrill—Volusia County land .....	321
Dixie Lumber Co.—Timber lease Lake County.....	255-350
Dodd, V. A.—Palm Beach County land.....	359-491
Dominici, D. M.—L. L. Williamson—Timber lease Martin County .....	304
Donahoo, John W.—Cummer Sons Cypress Co.—Protest timber lease W. E. Kirchoff .....	275
Donahue, Mrs. Jas. P.—Protest Palm Beach County sale Neil A. Campbell .....	372
Dopler, M. C.—Grazing lease Highlands County.....	426
Douglas, J. A.—Protest Hoyt Armstrong Murphy Act bid..	408
Douthit, R. H. Jr.—Everglades tax land Palm Beach County .....	188
Dowling, Frank B.—Everglades tax land for E. A. Ames..	43
Drainage Tax Bureau—Palm Beach County land.....	134
Drake & Reeder—Oil lease Dade County.....	8-22-48
Driggers, H. J.:	
Broward County land .....	65
Bid Murphy Act land Broward County.....	253
Oil lease Dade County.....	161-179-182-184-280-466
Drummond, L. W.—Timber lease W. E. Kirchoff.....	257
Dulaney, J. A.—C. W. Maxwell—Palm Beach County land	67
U. S. rock permit .....	439
Duncan, C. E.—Correction deed.....	193
Dunedin Airport—Action postponed .....	143
Dunedin, City of—Adjustment Dunedin Syndicate mortgage .....	59-62-149
Dunedin Syndicate—Mortgage adjustment.....	29-41-95-96-112-149
Dunscombe, Carroll—Protest Murphy Act bid.....	434
Dunson, Litha—Bid Murphy Act land.....	411
Durham, Lewis—Broward County land.....	258
Durrance, G. C.—S. J. Davis—Grazing lease Okeechobee County .....	491
Durrance, Streety—Grazing lease Highlands County.....	307
Duval County:	
Advertise Murphy Act lands.....	310
Bostwick, Mrs. W. M.—Offer for islands.....	490
Brown, Frank L.—Murphy Act protest.....	483
Butts, Elliot W.—Murphy Act supplies.....	239
Duval Engr. & Constr. Co.—Shell lease.....	442-454-488
Jacksonville Lakeside Co.—Murphy Act land.....	464
Larson, Reba G.—Protest Murphy Act bid.....	481
Madison, W. M.—Deed to land.....	98
Moore, J. C.—Murphy Act procedure.....	215
North Shore Corp.—Lease Mayport area.....	138-424
Pannill, J. D.—Squatter on State land.....	114
Parkhill Dredging Co.—Shell lease St. Johns River.....	29
State Road Dept.—R/W Murphy Act land.....	446-451-468
State Road Dept.—R/W St. Johns River bridge.....	119
Tucker, W. H.—Possession Murphy Act land.....	450-460
U. S.—Land for Naval Air Base.....	282
Williams, R. M.—Sears & Shea offer for land .....	192

Wynn, R. S.—Offer for land.....	Page 426
Duval Engineering & Contracting Co.—Shell lease	
St. Johns River .....	442-454-488

## E

## Eagle Bay:

Conely, Tom—Proposal for land.....	321
Hamrick, R. E.—Land under mortgage.....	255
Eagle Bay Drainage District—Tax liens.....	115-119
East Volusia County—Anti-mosquito Control Dist.—	
Permit for drainage ditch.....	353
East Shore Co.—Lake Osborne sale.....	280
Edwards, A. B.—Land exchange Myakka River State	
Park .....	362-454
Edwards, Leo—Fishing camp lease Dade County.....	452
Edwards, V. F.—Grazing lease Sarasota County.....	490
Elliot, F. C.—Engineer and Secretary:	
Assistance on Murphy Act work; equipment.....	318
Bayless, F. E.—Payment on car.....	353
Bids Murphy Act lands.....	233
Convicts used on State land-legislation.....	50
Disposal Murphy Act sales .....	104-106-107-108-109
Hearing Murphy Act sales.....	161
Purchase typewriters .....	71
R/W State Road Dept.—Richlands Inc., lease.....	282
Salary Murphy Act work .....	465
Title to coastal lands.....	53
Elinor, Byron—Murphy Act procedure.....	171
Elks Lodge, Clearwater—Bid Murphy Act land.....	451-482
Ellis, A. A.—Reservations Palm Beach County deed.....	88
Ellis, W. R.—Bid Murphy Act land Hardee County.....	355
English, Geo. W.—Ft. Lauderdale city taxes on State land	135
Everglades Drainage District:	
Adjustment Trustee's indebtedness—J. D. Kennedy.....	344-346
Farris, J. N.—Squatter on State land.....	41
State lands certified for taxes .....	85-346
Taxes on Palm Beach County land.....	151
Transfer Everglades bonds .....	423-444-473
Everglades Fire Control Board—Funds requested.....	183
Everglades Lands—Funds for fire control.....	162
Everglades Tax Lands:	
Campbell, J. E.—Dade County land.....	143-149
Douthit, R. H.—Palm Beach County land.....	188
Land under Murphy Act.....	473
Mortgage land under tax certificates.....	150
Richardson, A. R.—Sale contract.....	473
Union Congregational Church Dade County.....	493
Extensions:	
Chancey Bay Corp.—Payments extended.....	191
Richlands, Inc.—Lease payments extended.....	98-398



	Page
F	
Faith Mission Orphanage—Bid Murphy Act land .....	451
Farris, J. N.—Ejected from State land .....	41
Fatio, Maurice—Protest Palm Beach Co. sale .....	372
Federal Housing Admr.—M. M. Parrish—Murphy Act procedure .....	168
Fee, W. I.—Permit St. Lucie Sanitary District .....	38
Fellsmere Land Co.—Murphy Act bid Indian River County .....	375-411-462
Fellsmere Drainage District—Murphy Act bid Indian River County .....	449-462-478
Felix, Douglas—Dade County land .....	7
Fielding, Jas. N.—Tax Certs. C. C. Townes sale .....	152
Financial Statements .....	3-23-39-48-74-91-104-123-130-152 163-195-213-242-260-301-323-340 364-385-404-429-455-469-474
Fisher, Chas. E.: *	
Gorman, Wm.—Pinellas County land .....	13
Pinellas County purchase .....	33
Fissell, F. H.—Trespass Suwannee County .....	32
Fitzsimmons, Sam D.—City of Ft. Myers:	
Bid Murphy Act land .....	462
Protest Joseph Lee bid .....	461
Flagler County:	
Gilmore, Augusta—Bid Murphy Act land .....	485
Strickland, M. C.—Bid Murphy Act land .....	450
Flamingo Groves, Inc.—Oil and mineral reservations ...	299
Flipse, M. Jay—Dade County land .....	6
Florida Board of Forestry—Highlands Hammock State Park .....	44
Florida Clerks Assoc.—Procedure Murphy Act sales .....	290
Florida Forest & Park Service—Dedication Highlands Hammock .....	401
Florida East Coast Ry.—R/W Conch Key .....	14
Florida Fiber Co.—Grass lease Volusia Co. ....	193
Florida Historical Society—Old Spanish Mission Murphy Act Certificate .....	436-481
Florida Inland Navigation Dist.—Lands Withdrawn from sale .....	348
Florida Keys—White Heron Refuge .....	238-267
Florida Land & Improv. Co.—R. W. Leverett title .....	57
Florida Marine Service—Monroe County land Book Key	424
Florida Midland Ry.—Correction deed .....	193
Florida National Guard—R/W Camp Blanding Murphy Act land .....	432
Florida Power Corp—R/W Murphy Act land Pinellas County .....	112
Fogelberg, S. E.—Columbia County land .....	135
Foley, J. W.—Tax Certificate on Mortgage land .....	6
Forman, H. M.:	
Grazing lease Broward County .....	63-256
Murphy Act procedure .....	172
Offer Broward County land .....	70
Fort Lauderdale, City of:	
St. Road Dept. Lease Las Olas Blvd. ....	323
Taxes on State land .....	135
Fort Myers, City of:	
Bid Murphy Act land .....	462
Protest Murphy Act bid Joseph Lee .....	461
Fort Pierce, City of:	
St. Lucie County—land for Park .....	380-398

	Page
Spoil area St. Lucie County .....	101
Fort Pierce Financing & Constr. Co.—St. Lucie County land .....	56-86-101
Fowler, Cody:	
Deed Byrne E. Bushnell Hillsboro Co. land .....	158
Thomas, Grayden—Virginia Key .....	25-28-42-45-51
Fozzard, Charles & Harry B.—Sand lease Clay Co. ....	307
Franks, A. C.—Everglades Tax land J. A. Biehn .....	60
Fraser, J. B.—Permit New River Sound Broward Co. ....	149
Freeman, Lewis G.—Land exchange Richlands Inc. ....	141
Freeman, Martha W.—Protest M. A. bid J. B. Long ....	408
Friedman, E. F.—Dade County:	
Virginia Key land; Land for Airport .....	291-488
Frizzell, A. C.—Timber Hendry County .....	87
Fuller, Herbert F.—New Smyrna-DeLand Drainage Dist. Volusia County .....	407-409
Fuller, W. P.:	
Pinellas County Land, Paul D. Camp .....	226-236-258
R/W Old Tampa Bay .....	271
Fullerton, W. I.—New Smyrna-DeLand Dr. Dist. ....	409
Futch Act:	
Clerks Circuit Courts segregate certificates .....	107-109
Opinion by Attorney General .....	435
Future Farmers of America—Branford High School request land .....	399-415

## G

Gadsden County—Permit Southeastern Pipe Line .....	160
Gage, J. M.—Polk County land .....	382-388-389-399
Gaines, Mrs. Pauline—Reservations Sarasota deed .....	319
Game & Fresh Water Fish Dept.—Lake Okeechobee hunting area .....	159
Gandy Bridge Co.—R/W Old Tampa Bay .....	272
Garner, E. A.—Sarasota County land .....	177
Garris, M. B.—Sale Virginia Key land .....	47
Gatine, J. B.—Lake Clark Lease Palm Beach Co. ....	259
Gaulden, LeSueur—Amphitrite Hotel Lease Broward County .....	322-389
Gedney, Johnson & Lilfenthal—James Ball—Abstract foreclosure land .....	120
Germany, Roy—Murphy Act land Putnam Co. ....	434-445
Gibbs, George Couper—Attorney General—Fire control in Everglades .....	58
Gibson, W. Terry—Palm Beach Co., sale Neil A. Campbell .....	373
Gilchrist County—Harilee, H. E. Offer for land .....	425-453
Giles & Gurney—Louise B. Greer—Lake Conway land Orange County .....	81
Gillespie, J. U.—J. T. Godfrey—Volusia Co. land .....	352-364-382-399
Gilmore, Augusta—Bid Murphy Act land Flagler Co. ....	485
Ginn, Claud S.—Deed to Ginn Investment Co. ....	234-240
Glades County:	
Conely, T. W., Jr.—Grazing lease .....	192-257-278
Gove, Henry S.—Credit on sale .....	21
Hart, C. T.—Grazing lease .....	349
Lykes Bros. Offer for land W. H. Jackson .....	350
Lykes Bros.—Grazing lease .....	388
Norton, W. B.—Grazing lease .....	192-258-299
Parsons, W. W. Grazing lease .....	81
Pearce Bros.—Grazing lease .....	14
Pearce, Pearl & Edna—Grazing lease .....	467

	Page
Pearce, Pearl—Offer for land .....	460-467
Platt, B. L.—Grazing lease .....	57
Robinson, Roy—Offer for land .....	460-464-486
Scarborough, E. P.—Grazing lease .....	192-278-487
Scott, I. E.—Grazing lease; offer for land .....	460-463
State Road Dept.—R/W for road .....	143-184
Swinney, G. W.—Land lease .....	13
Tax Certificates on State Mortgage land .....	222
Tree Planting Okeechobee Levee .....	122-143-146
Tobias, W. M.—Grazing lease .....	90
Uzzell, A. T.—Lake bottom land .....	112-380
Weeks, Doris S., C. C. C.—Notice tax Cert. ....	142
Williams, F. H. Jr.—Grazing lease .....	192
Winthrop, Guy—Grazing lease Lake Hicpochee .....	21-33-305
Glenn H. Curtiss Properties—Reservations released .....	56
Glenn Realty Co.—Wakulla County land .....	188
Godfrey, Albert W.—Lake Osborne land .....	280
Godfrey, J. T.—Volusia Co. land .....	352-364-382-399
Goetz, Bernice—Tax Certificate on Mortgage land .....	13
Goetz, L. E.—Conch Key Monroe County .....	87
Goodloe, R. D.—Parkhill Dredging Co. Shell Lease St. Johns River .....	29
Goodman, Roy F.—Lake Osborne land .....	280
Gorman, Wm. F.—Charles E. Fisher—Pinellas County land .....	13-33
Gove, Henry S.—Credit on Glades County land .....	21
Governor Fred P. Cone:	
Conch Key sale .....	16
Oil lease procedure .....	60
Rules & Regulations Murphy Act .....	181
Graham, J. A.—Columbia County land for L. W. A. Rivers .....	416-417
Gramling, John C.—Laura Tobin—Submerged land Dade County .....	183-224-264
Gran, E.—Tax Certificate on mortgage land .....	6
Granger, W. B.—T. L. Bass lease payments .....	382
Grant, J. B.—H. R. Layfield—Palm Beach County land .....	135-487
Grant, V. F.—U. S. Navy protest Murphy Act sale Putnam County .....	379
Grau, Pedro—I. G. Atwell—Palm Beach Co. land .....	194-222-297
Grazier, Allen C.—Pinellas Co. land .....	314-320-350-361
Greenlawn Realty Co. Mtg.—Bryan & Hort Tax certificates .....	20
Greer, Louise B.—Lake Conway, Orange Co. ....	81
Greer, V. N.—Palm Beach Co. land .....	416-424
Griffith, B. George—Dade County land .....	352-388
Griffin, J. M.:	
R/W Palm Beach County land .....	90-91
Sale Palm Beach County land .....	425-488
Grinstead, G. J.—Suwannee County land .....	32-90
Grismore, Fred—T. T. Scott timber trespass .....	88-89
Griswell, Fred—T. T. Scott timber trespass .....	103
Grove, W. R.—Sarasota County land .....	259
Gulf County:	
Burkett, W. Martin—Timber lease Dead Lakes .....	320
Howell, W. H.—Port St. Joe land .....	244
Lister, H. C.—Offer for land .....	398
Port St. Joe Dock & Terminal Co.—land sale .....	275
Reservations released .....	307
Port St. Joe Paper Co.—Land sale .....	236-275
St. Joe Paper Co.—Land Sale; reservations .....	275-307
Survey Dead Lakes—timber lease .....	114

	Page
Gunter, Herman—State Geologist—Mineral sand lease Brevard County .....	220-225-268
Gulf Stream Boy Scouts—Permit Lake Osborne .....	52
Gurney & Giles—Orange Co. land Lake Conway .....	81

## H

Haines City—Tax lien foreclosure .....	116
Hall, Louis—Oil lease Monroe County .....	8
Hamilton County:	
Bid Murphy Act land .....	485
Brantley, George—Land sale .....	31
Hamilton, Ed—325 First Street Corp—Disclaimer Murphy Act land Palm Beach Co. ....	250
Hamilton, H. J.—Rules & Regulations Murphy Act .....	217
Hamilton, W. H.—Mineral Reservations Polk Co. ....	349
Hammons, Florence M.—Murphy Act land Hillsboro County .....	483
Hamrick, R. E.—Mortgage Eagle Bay land Okeechobee County .....	255
Hanley, Katherine—Lake Osborne land .....	281
Hannock, Chas. G.—John L. Patten—lease fill material .....	234
Hancock, J. T.—Grazing lease Okeechobee Co. ....	14
Hansen, E. R.—Protest Murphy Act bid Orange Co. ....	379
Hardee County:	
Coker, A. V.—H. G. Murphy offer for land .....	268
DeSoto State Park—Refund Tax Certificate .....	44
Ellis, W. R.—Bid Murphy Act land .....	355
Hart, T. C.—Offer for land .....	134
Hurst, Andy—Bid Murphy Act land .....	355
Land dedicated Highlands Hammock Park .....	77-402
Whitehead, F. L.—Bid Murphy Act land .....	355
Harlee, H. E.—Gilchrist County land .....	425-453
Harris, S. Henry—Lease Pinellas Co. land Andrew Kerestury .....	258-352
Harrison, W. W. & Francis A.—Diatomite lease assignment .....	326-328-360-393
Hart, C. T.—Grazing lease Okeechobee Co. ....	64
Hart, O. P.—City of Miami—Virginia Key sale .....	45-291
Hart, T. C.—Hardee County land .....	134-349
Haskins & Fielding—C. C. Townes land sale .....	150
Hatton, Robert & Jos. L.—Palm Beach Co. land .....	80
Harvard, W. B. & Ethel J.—Mortgage release State Road Dept. ....	120
Harvey W. Seeds Post Am. Legion—Reversion clause in deed .....	136
Hawkins, Carl W.—land exchange Model Land Co. ....	396
Hawkins, Joe W.—U. S. Dept. Agriculture—Citrus County land .....	64
Hawthorne, Vernon—Palm Beach Co. sale .....	41-68
Heacock, Ford W.—Thos Stanyon offer Everglades Tax land .....	177
Hendry County:	
Baldwin, Cyril—Grazing lease .....	224-248-452-490
Burchard, R. E. Timber lease .....	176-331-489
Frizzell, A. C.—Timber lease .....	87
Hendry, Joe B.—Offer for land R. N. Miller .....	274
Hendry, Ralph—Grazing lease .....	330
Lucky, Clifford—Tax Cert. on State land .....	428
Miller, R. N.—Offer for land .....	87
Scott, T. T.—Timber lease .....	135-252-298



	Page
U. S. Engineer—Reservations released .....	400
Whitehurst, Geo. W.—Grazing lease .....	415-452
Hendry, Ralph—Grazing lease Hendry Co. ....	330
Hernando County:	
Bid Murphy Act land .....	482
Withlacoochee Coterminus Proj. Murphy Act land .....	309-354
Herr, Ben—Okeechobee Flood Control Dist:	
R/W deeds Okeechobee Levee .....	121
R/W reservation Murphy Act land .....	204
U. S. refund Pelican Bay Culvert .....	72-178-364
Hess, Robert P.—Palm Beach County land .....	41-68-73
Hewlett, Lucien—Standard Cedar Co.—timber lease	
Citrus & Levy Counties .....	61
Hicpochee, Lake—Guy Winthrop grazing lease .....	103
Hialeah, City of—Murphy Act land Dade Co. ....	338-354
Highlands County:	
Albritton, G. G.—Grazing lease .....	30-89-137-424
Ashton, Rudy—Grazing lease .....	113
Avon Park, Town of—Murphy Act bid .....	445-446
Bid Murphy Act land .....	446-479
Bonner, Leo—Offer for State land .....	426
Cason, Thos. H.—Grazing lease .....	219
Dedication Highlands Hammock land .....	77-401
Durrance, Streety—Grazing lease .....	307
Fla. Board of Forestry—Highlands Hammock .....	44
Highlands Hammock Park—C. C. Townes .....	76-100-115-150
Holland, Bevis & Hughes—Grazing lease .....	426
Howard, J. S.—Grazing lease .....	138
Kee, E. M.—Grazing lease .....	381
Lake Farms Co.—Bid Murphy Act land .....	435
O'Berry, C. W.—Grazing lease .....	33
Pearce, Austin & J. C.—Bid Murphy Act land .....	435
Peeples, J. H.—Bid Murphy Act land .....	319-334-446
Powers, Jack H.—Bid Murphy Act land .....	435
Ramer, J. R.—Grazing lease .....	330-350
Sebring, City of—Bid Murphy Act land .....	435
Seigmeister, Walter—Lake Istokpoga; Grazing lease .....	193-220-487
State Road Dept.—R/W Easements .....	387
Taylor, Lewis—Grazing lease .....	193-220
Treadwell, E. D.—Everglades Tax land .....	348
Townes, C. C.—Bid Murphy Act land .....	319-334
Highlands Hammock State Park:	
Land for park purposes .....	44-401
Townes, C. C.—Land purchase .....	76-100
Hill, R. D.—Gulf Stream Boy Scouts—Lease Lake Os- borne land .....	52
Hillsborough County:	
Best Foods Inc.—Protest bid Regal Investment Co. ....	485-493-495-496
Bid Fla. Gardens lands .....	392
Board County Comm'rs. Murphy Act bid .....	485
Bregar, J. M.—Temple Terrace bid M. A. land .....	375-407-410
Bushnell, Byrne E.—Quit claim deed .....	158
Hammons, Florence M.—Bid Murphy Act land .....	483
McCormick, Chas.—Murphy Act procedure .....	215
McMichael, Douglas—Tax credit Murphy Act land ...	303
Peter O. Knight Air Field—Spoil area .....	241
Placie, W. J.—Quit claim deed Murphy Act .....	230-231
Port Tampa, City of—Murphy Act bid .....	312-316-334

	Page
Request notice former owner waived .....	459
Sale Murphy Act land for airport .....	495
School Board—Offer for tax land .....	43
Southeastern Army Air Base—Murphy Act land .....	218-230-232
State Road Dept.—R/W Little Manatee River .....	267
State Road Dept.—R/W Murphy Act land .....	480
State Road Department—RW Old Tampa Bay .....	94-264-270
Tampa, City of—Seaplane Base .....	
Hillsboro Bay .....	137-165-206-207-211
Tampa, City of—R/W Old Tampa Bay .....	227-239
Tampa Yacht Club—Murphy Act land .....	410-436-448
Thomas, Wayne—Tax land .....	11-54-59-219-226-235-278-373-414
Thompson, Wm. E.—Wayne Thomas tax land .....	59
World War Veteran—Murphy Act land .....	483
Holgate, Robt. G.—Credit J. M. Sutton .....	327
Holland, Bevis & Hughes—M. C. Dopler grazing lease .....	
Highlands Co. ....	426
Holt, Geo. Edw.—Fishing Camp lease Cape Fla. ....	389
Holtsinger, G. M.—R/W Old Tampa Bay .....	264-271
Hornlein, Paul—Pinellas County land .....	314-356
Horobin, Thos.: .....	
Dade County land sale .....	6-54-190-352-360-399-414-443
Correction deed Dade County .....	7-399
Sand lease Biscayne Bay .....	7-12
Horton, Roberta S. B.—Broward County land .....	321-357
Hortt, M. A.—Tax Certificate Greenlawn Co. Mtg. ....	20
Howard, J. S.—Grazing lease Highlands Co. ....	138
Howell, W. H.—Gulf County land .....	244
Hubbell, G. A.—Palm Beach Co. land .....	194-220-308-315
Hudgens, R. W.—U. S. Farm Security Adm.—Everglades housing program .....	10
Hudson, F. M.—Kreamer Island property .....	226-235
Hudson, G. V.—Chancey Bay grazing lease—L. Maxy ....	398
Hull, Landis & Whitehair—New Smyrna, City of— Murphy Act land Volusia County .....	407
New Smyrna Beach—Murphy Act land .....	436
Hull, Wood & Kerr—Palm Beach Co. land .....	349-390-397
Hull, W. G.—Palm Beach County land .....	359-373-390-397
Humphries, Lettie Camp—Murphy Act bid Pasco Co. protested .....	450
Hunt, James. H.—Levy County timber .....	351
Hunt & Sumner—Mortgage adjustment .....	117
Hunter, Jesse—Grazing lease Okeechobee Co. ....	314
Hurst, Andy—Murphy Act bid Hardee County .....	355
Hurst, A. H.—Brevard County land .....	399
Huss, Alfred—Lease Broward County area .....	389
Hutner, Jos.—Dade County land .....	306

## I

Iamonia, Lake—R/W Leon County .....	3
Indian River—St. Lucie Co. offer for land .....	56-61
Indian River—St. Road Dept.—Dredging Permit .....	97
Indian River County: .....	
Bid Murphy Act land .....	485
Dame, H. J.—Murphy Act deed .....	367
Fellsmere Dr. Dist.—Bid Murphy Act land .....	449-462-478
Fellsmere Land Co.—Bid Murphy Act land .....	375-411-462
Murphy Act bids .....	228
Saunders, R. R.—Deed Murphy Act land .....	354-355-380
Vero Beach, City of—Bid Murphy Act land .....	483
Vero Beach, City of—State land offer .....	463-491

	Page
Ingram, Annie B.—Protest Reba Larsen M. A. bid .....	481
Inlet Beach Inc.—Protest sale Broward Co. ....	358
Irwin, Lawrence—Rural Electrification Power line Nassau Co.—Murphy Act land .....	439
Istokpoga Dr. Dist.—Survey of islands .....	86
International Realty Association—War Dept. permit St. Petersburg .....	86

## J

## Jackson County:

Butler, L. C.—Bid Murphy Act land .....	485
Dawsey, J. W. Timber lease Lake Ocheesee .....	99
Mercer, Hubert & Teenie—Murphy Act bid .....	290
Southeastern Pipe Line permit .....	160
Jackson, W. H.—Lykes Bros. Glades Co. land .....	350
Jacobs, Jerrold F.—Lake Osborne land .....	53-102-389
Jacques, R. E.—Conch Key Monroe Co. ....	140-427
Jacksonville Lakeside Co.—Murphy Act land Naval Air Base .....	464

## Jefferson County:

DeVane, J. P.—Bid Murphy Act land .....	449
Shelley, W. P.—Timber lease .....	19-31
Jenny, Vic—Fishing Camp lease Friend Key Monroe Co. ....	69
Jones, Harold E.—Taft Dr. Dist., Murphy Act bid pro- tested—Orange Co. land .....	379
Jones, Isaac S. H.—C. E. Duncan—Correction deed .....	193
Jones, J. H.—Everglades Tax land Palm Beach Co. ....	86
Jones, W. D. Jr.—Duval Co. Air Base—Murphy Act land .....	167
Johnson, Mrs. Pat—Lake Tohopekaliga land .....	219-226-235
Johnson, R. G.—Reservation Palm Beach Co. deed .....	300

## K

Kanner, A. O.—Geo. Wynn—Mortgage release .....	102
Kee, E. M.—Grazing lease Highlands Co. ....	381
Keen, J. V.:	
Albee, Geo. H.—Sarasota Co. land .....	122
Miami Airport—Murphy Act land .....	127-129-246
Sarasota Housing Authority—Murphy Act land .....	422
Treadwell, J. H., Jr.—Murphy Act land DeSoto Co. ....	244
Keller, N. W.—South Hastings Dr. Dist.—Taxes .....	102
Kelsey City Land Co.:	
Reservations released .....	25
Tax Land Palm Beach Co. ....	20
Kennedy, John D.—Murphy Act lands Napoleon B. Broward Dr. Dist. ....	249-262
Kennedy, John D.—Adjustment Everglades Dr. Dist. debt. ....	344-346
Kent, Fred—Everglades Dr. Dist.—Protest squatter .....	41
Kerstury, Andrew—Lease Pinellas County .....	352
Kerr, Wood and Hull—Palm Beach Co. land .....	349-390-397
Kilgore, Mrs. J. L. Sr.—Murphy Act land Monroe Co. ....	269
Kimball, J. P.—Levy County work camp .....	254
Kingsley, Geo.—Lake Osborne land .....	281
Kinzie Bros. Steamer Line—Shell lease Caloosahatchee River .....	150-488
Kirchoff, W. E.—Suwannee River timber lease .....	236-257-275-313-353-362-425-489
Kissimmee, City of—Lake Tohopekaliga land .....	141
Klein, Harry—Murphy Act bid protested .....	433-434
Knight, Marion B.—J. S. Wight—Timber lease Dead Lakes .....	345

	Page
Knight, Richard—Home Owners Loan Corp.—Murphy Act procedure .....	168
Knott, W. V.—State Treasurer:	
Everglades Drainage Dist. bonds .....	444
Serve on Committee .....	60
Sovereignty land numbers .....	496
Knowles, Ralph—Fishing Camp lease .....	490
Koblegard, Robt. W.—Permit St. Lucie Co. Sanitary District .....	38
Kominers, O'Dell—J. B. McNeil—Everglades tax cert. land .....	316

## L

LaFayette County—Poare, C. B.—Offer for land .....	194
Lake Conway:	
McKinney, R. P.—Offer for land .....	139
Orlando Yacht Club—Offer for land .....	98
Lake Farms Co.—Highlands Co. land Murphy Act .....	435
Lake Okeechobee—Protest closed hunting .....	159
Lake Osborne—Palm Beach Co.:	
Land for Park .....	71-126-144-149
Permit Gulf Stream Boy Scouts .....	52
Lake Worth Drainage District—Murphy Act bid Palm Beach Co. ....	279-342
Lake County:	
Dixie Lumber Co.—Timber lease .....	255-350
Murphy Act land for Experiment Station .....	303
Westbrook, Geo. F.—Protest Murphy Act bid .....	479
Lakeland-Tampa Canal Co.—Canal construction .....	53-61-64-96-97
Lamb, J. M.—Not agent of Trustees .....	480
Land Department—F. E. Bayless, Chief Clerk:	
Mileage credited on car payment .....	308
Posting State land .....	34-64
Records indexed .....	117
LANDS: Adjustments; Advertisements; Applications;	
Contracts; Exchanges; Sale; Tax Certificates;	
Trespass—Murphy Act Bids. Protests; Rules	
and Regulations; Sales—Miscellaneous:	
Achemire, B. C.—Broward County land .....	87
Adams, S. J.—Bid Murphy Act lands .....	483
Adjutant General Collins—Murphy Act land for	
Camp Blanding road .....	367
Agricultural Experiment Station—Murphy Act land ..	303
Albee, Geo. H.—Sarasota Co. land .....	122
Albritton, Paul C.—Sarasota Co. land .....	64
Allen, W. P.—Murphy Act land Miami Airport .....	167
Altman, Ellis F.—Everglades tax land .....	319-328
Anderson, J. Stanley—Suwannee Co. land .....	5
Arcadia, City of—Murphy Act bid DeSoto Co. ....	411
Armstrong, J. E.—Murphy Act bid Broward Co. ....	483
A. C. L. Railroad—Lake Tohopekaliga land .....	330
Atwell, I. G.—Palm Beach Co. land .....	194-222
Austin, Pearce & J. C.—Highlands Co. M. A. land ..	435
Avon Park, Town of—Murphy Act bid Highlands Co. ..	445-446
Bailey, C. A.—Palm Beach Co. land .....	56-320
Baker, L. R.—Lake Osborne land .....	274
Bayless, F. E.—Land Clerk:	
Delinquent contracts .....	14-103
Posting State lands .....	34
Beaty, Rachel T.—Broward County land .....	321-357
Beck, Chas.—Everglades tax land Palm Beach Co. ....	281-294



	Page
Beck, Herbert D.—Everglades tax land .....	226
Beesley, Robt. E.—Lake Worth Island .....	489
Bennett, Cornelia W.—Lake Osborne land Palm Beach County .....	281
Bennett, E. R.—C. C. C.—Murphy Act policy .....	244-279-285
Bennett Gardens Corp.—Palm Beach Co. land .....	208
Berquist, E.—Murphy Act bid .....	303
Bessemer Properties—Palm Beach Co. land .....	234
Bethel, J. U.—Pinellas Co. land .....	81-89
Biehn, John A.—Dade County land .....	60
Boca Raton, town of—Murphy Act bid .....	435
Bonner, Leo—Okeechobee-Highlands Co. land .....	426-453
Bostwick, Mrs. W. M.—Duval Co. Islands .....	490
Boyd, J. M.—Pelican Lake Farms Rock pit .....	183
Boydston, Geo. L.—Palm Beach Co. land .....	281
Branch, Chas. A.—Murphy Act bid Brevard Co. .....	484
Brand, Chas. G.—Murphy Act bid Monroe Co. .....	368
Braunford High School—Suwannee Co. land .....	399-415
Brantley, Geo.—Hamilton Co. land .....	9-31
Bregar, J. M.—Murphy Act land Temple Terrace .....	375
Bronson, Geo. C.—Osceola Co. land .....	125
Brooks-Scanlon Corp.—Taylor Co. land .....	425
Brorien, Carl—Peninsula Telephone Co.—Murphy Act bid Sarasota Co. .....	334
Broward Co.—Murphy Act bid .....	480-483
State Road Department borrow pit .....	253
Budd, Garland M., Jr.—Monroe Co. land Bock Key .....	424
Burket, J. F.—Sarasota Co. land .....	259
Burnham, E. P.—Murphy Act bid .....	450
Burns Lumber Co.—Timber trespass Levy Co. .....	89
Burnsed, J. D.—Baker Co. land Taylor High School .....	22
Burwell, W. H.—Protest Murphy Act bid .....	377
Butler, L. C.—Murphy Act bid Jackson Co. .....	485
Camp, Paul D.—Pinellas Co. land .....	226-236-258
Campbell, J. E.—Everglades tax land Dade Co. .....	143-149
Campbell, Neil A.—Palm Beach County land .....	319-370-390-415-416-468-487
Carter, J. Louis—Lake Osborne, Palm Beach Co. .....	351
Cason, F. W.—F. M. Hudson—Kraemer Island Palm Beach Co. .....	226-235
Cate, P. M. Inc.—Everglades tax land .....	19
Catholic Church Palatka—Murphy Act bid Putnam County .....	451
Chalker, Geo. A.—Palm Beach Co. land .....	87
Chipley, Town of—Murphy Act bid Washington Co. .....	481
Citrus County—Murphy Act bid .....	219
Cleveland, Chas. B.—Dade County land .....	453
Clark, H. M.—Va. Key land Dade Co. .....	320-349-361
Clark, Walter R.—Broward Co. land .....	65-307-330
Clary, A. J.—Dade Co. land .....	453
Cobb Realty Co.—Tax land for Christian Church .....	54
Cochran, J. E.—Everglades tax land .....	423
Cohen, Elmore—Conch Key Monroe Co. .....	489
Collins, J. E. & Esko—Suwannee Co. land .....	303
Conely, Tom—Eagle Bay land .....	321-350
Connell, D. T.—Palm Beach Co. land .....	331
Contract & Investment Co.—Dunedin Syndicate Mortgage .....	59-62-85-96
Coral Gables, City of—Murphy Act bid .....	247
Cotton, Jas. E.—Everglades tax land .....	97
Crisp, L. C.—Sarasota Co. land .....	100

	Page
Croft, Willie—Union Co. land .....	84
Dade County—Virginia Key land .....	281-291-315-325-327
Dade County—Everglades tax land .....	9
Dade County—Murphy Act land for Airport .....	472-488
Danielson, Barbara—Dade County land .....	306-326-353-363-412
Darden, J. H.—Old State Dike land .....	80
Decision on Murphy Act .....	229
DeSoto Beach S/D—Murphy Act land .....	448-479
DeVane, J. P.—Bid Murphy Act land .....	449
Dew, Jas. A.—Palm Beach Co. land .....	21-33-57
Dillard, Sherill—Volusia Co. land .....	321
Dodd, V. A.—Town of Lantana—Palm Beach Co. land .....	359-491
Douthit, R. H., Jr.—Everglades tax land Palm Beach County .....	188
Drainage Tax Bureau—Palm Beach Co. land .....	134
Driggers, H. J.—Broward Co. land .....	65
Dulaney, J. A.—Land price reduced .....	67
Dunson, Letha—Murphy Act bid Pasco Co. ....	411
Durham, Lewis—Broward Co. land .....	258
Duval County—Murphy Act sales allowed .....	310
East Shore Co.—Palm Beach Co. land .....	280
Edwards, A. B.—Land exchange Myakka St. Park ...	362
Elks Lodge Clearwater—Murphy Act bid .....	451-482
Ellis, W. R.—Murphy Act bid Hardee Co. ....	355
Elliot, F. C.—Title to Coastal lands .....	53
Everglades lands certified for taxes .....	85
Everglades lands under Murphy Act certs. ....	473
Fellsmere Dr. Dist.—Bid Murphy Act land .....	449-462-478
Fellsmere Land Co.—Murphy Act bid Indian River County .....	375-462
Felix, Douglas—Dade County land .....	7
Fisher, Chas. E.—Pinellas Co. land .....	13-33-34
Flipse, M. Jay—Dade Co. land .....	6
Fla. Historical Society—Murphy Act bid Old Spanish Mission Volusia Co. ....	481
Fla. Marine Service—Monroe Co. land Book Key ...	424
Fogelberg, S. E.—Columbia Co. land .....	135
Forman, H. M.—Broward Co. land .....	70
Fort Myers, City of—Murphy Act bid Lee Co. ....	462
Fort Pierce, City of—Spoil Area .....	101
Fort Pierce Financing & Constr. Co.—Spoil Area ...	56-86-101
Freeman, Lewis G.—Land exchange Pelican Bay ...	141
Gage, J. M.—Polk County land .....	382-389-399
Garner, E. A.—Sarasota Co. land .....	177
Giles & Gurney—Orange County land .....	81
Gilmore, Augusta—Murphy Act bid .....	485
Glenn Realty Co.—Wakulla Co. land .....	188
Godfrey, Albert W.—Palm Beach Co. land .....	280
Godfrey, J. T.—Volusia Co. land .....	352-364-382-399
Goetz, L. E.—Conch Key Monroe Co. ....	87
Goodman, Roy F.—Palm Beach Co. land .....	280
Gove, Henry S.—Glades Co. land credit .....	21
Grant, J. B.—Palm Beach Co. land .....	135-487
Grau, Pedro—Palm Beach Co. land .....	194-222-297
Grazier, Allen C.—Pinellas Co. land .....	314-320-350-361
Greer, Louise B.—Orange Co. land .....	81
Greer, W. N.—Palm Beach Co. land .....	416-424
Griffin, J. M.—Palm Beach Co. land .....	425-488
Griffith, B. George—Dade Co. land .....	352-388
Grinstead, G. J.—Suwannee Co. land .....	32-90

	Page
Grove, W. R.—Sarasota Co. land .....	259
Haines City suit—Murphy Act tax liens .....	116
Hamilton Co.—Murphy Act bid .....	485
Hanley, Katherine—Palm Beach Co. land .....	281
Hammons, Florence M.—Murphy Act bid Hillsboro County .....	483
Harlee, H. E.—Gilchrist Co. land .....	425-453
Hart, T. C.—Hardee Co. land .....	134
Hatton, Robt. & Joseph L.—Palm Beach Co. land .....	80
Hawthorne, Vernon—Palm Beach Co. land .....	41
Hendry, Joe B.—Hendry Co. land .....	274
Hernando County—Murphy Act bid .....	482
Hess & Hawthorne—Palm Beach Co. land .....	68
Hialeah, City of—Murphy Act bid for Park .....	338-354
Highlands County—Murphy Act bid .....	446
Hillsborough County:	
Bid Fla. Garden Lands .....	392
Bid Murphy Act land .....	485
Former owner notice waived .....	459
Murphy Act sale for Airport .....	495
Hornlein, Paul—Pinellas Co. land .....	314-356
Horobin, Thos. H.:	
Adjustment Dade Co. purchase .....	7-190
Application Flipse, Simpson, Douglas .....	6
Dade County land .....	54-352-360-399-414-443
Horton, Roberta S. B.—Broward Co. land .....	321-357
Howell, W. H.—Gulf Co. land .....	244
Hubbell, G. A.—Palm Beach Co. land .....	194-220-308-315
Hudson, F. W.—Kreamer Island property .....	226-235
Hull, W. G.—Palm Beach Co. land .....	359-373-390
Humphries, Lettie C.—Protest Murphy Act bid Pasco County .....	450
Hurst, A. H.:	
Brevard County land .....	399
Murphy Act land Hardee Co. ....	355
Hutner, Joseph—Dade Co. land .....	306
Indian River Co.—Murphy Act bid .....	485
Inlet Beach Inc.—Protest Broward County sale .....	358
Jacksonville Lakeside Co.—Murphy Act land Duval County .....	464
Jacobs, Jerrold F.—Lake Osborne land Palm Beach County .....	102
Jacques, R. E.—Conch Key Monroe Co. ....	140
Jones, J. H.—Everglades tax land Palm Beach Co. ....	86
Johnson, Mrs. Pat—Osceola Co. land .....	219-226-235
Kelsey City Land Co.—Tax land Palm Beach Co. ....	20
Kilgore, Mrs. J. L.—Monroe Co. Murphy Act land ....	269
Kingsley, Geo.—Palm Beach Co. land .....	281
Kissimmee, City of—Osceola Co. land .....	141
Lake County—Murphy Act land for Experiment Station .....	303
Lake Farms Co.—Murphy Act bid Highlands Co. ....	435
Lake Worth Dr. Dist.—Murphy Act bid Palm Beach County .....	279-342
Lantana, Town of—Palm Beach Co. land .....	359
Lee County—Murphy Act bid .....	432-485
Lee, C. S.—Seminole Co. land .....	84
Lee, G. R.—Pinellas Co. land .....	225-237-296
Lee, John M.—Everglades tax land .....	18
Lee, Marianne—Sarasota Co. land .....	353-382
LeGro, F. C. B.—Adjustment Dade Co. land .....	8

	Page
Lester, Hugh—Broward County island .....	191-329
Leverett, R. W.—Volusia Co. land .....	57
Levy County—Work Camp on State land .....	143-254-388
Linn, Albert—Palm Beach Co. land .....	281
Lister, H. C.—Gulf County land .....	398
Mackey, Cyrus A.—Pinellas County land .....	122-132
Madison, W. M.—Deed Daniel Thomas land .....	98
Maines, Hal Y.—Union County land .....	84-90
Mann, T. O.—Baker County land .....	259
Mansfield, Gertrude—Offer Sarasota County land ....	487
Markett, John A.—Lake Osborne land .....	53-281
Maryland Land & Transp. Co.—Myakka River exchange .....	351-383-425-488
Matthews, Wesley W.—Everglades tax land Dade Co. ....	359
Maxwell, Clarence W.—Palm Beach County land .....	65-67
Melbourne-Tillman Dr. Dist.—Murphy Act bid Bre- vard County .....	243-253-262-342
Mercer, Hubert & Teenie—Murphy Act land Jackson County .....	290
Methodist Church Titusville—Murphy Act land .....	484
Miami, City of—Murphy Act land for Airport .....	246
Miles, Edith M.—Conch Key Monroe County .....	14
Miller, Austin—Dade Co. land Grayden Thomas .....	25-28-45
Miller, R. W.—Hendry Co. land .....	87
Miller, W. Gerry—Broward Co. land .....	321-357
Model Land Co.—Land exchange Dade Co. ....	396-428-489
Moon, Clarence O.—Pinellas Co. land .....	133
Mores, J. P.—Palm Beach Co. land .....	416-424
Morgan, A. E.—Taylor County land .....	415
Moore, M.—Columbia Co. land .....	490
Moore, T. V.—Biscayne Bay spoil areas .....	307
Morrison, Mrs. Marie—Murphy Act bid Wakulla Co. ....	218
Murphy, H. G.—Hardee County land .....	268
Murphy Act bids presented .....	239
Murphy Act sales policy .....	145
Murphy Act procedure .....	104-106-107-108-109
Murphy Act Rules & Regulations .....	216-283-285-286-311-334-391
Myakka River St. Park—land exchange Sarasota Co. ....	351-362-383-425-454-488
McColskey, E. A.—Alachua County land .....	349
McCune, C. H.—Protest sale Hugh Lester .....	330
McCormick, Marian D.—Barbara Danielson— Dade Co. ....	66-69-73-81-88-98
McCree, W. A.—Lake Conway land .....	32
McCubbin, Chas. C.—Duval County land .....	98
McKinney, R. P.—Lake Conway, Orange Co. ....	139
McNeill, J. B.—Everglades tax land Dade Co. ....	316
Napoleon B. Broward Dr. Dist.—Broward Co. land ....	73
New Smyrna Beach—Bid Murphy Act land .....	436
New Smyrna-DeLand Dr. Dist.—Bid Murphy Act land .....	407-409-433-445
North Shore Corp.—Duval Co. land; Squatter .....	65-114
Nuchols, Charles—Erroneous tax credit .....	311
Okeechobee Flood Control Dist.—Moore Haven Lock site .....	289
Orange Lake Muck Farms Co.—Contract adjustment .....	256-263
Orlando Yacht Club—Lake Conway land .....	98
Padgett, Duncan—Palm Beach Co. land .....	33
Palmetto, City of—Murphy Act bid for Park .....	449
Panama City land trespass—Oil Companies .....	101
Patten, J. L.—Dade County land .....	321-337-369-427



	Page
Patterson, A. C.—Palm Beach Co. land .....	381
Patterson, E. C.—Palm Beach Co. land .....	417
Patterson, Eugene C.—Palm Beach Co. land .....	352
Patterson, Geo. L.—Protest Murphy Act bid Dade Co. ....	377
Palm Beach Co.—Murphy Act bids .....	336-339-380
Palm Beach Co.—Bd. Public Instruction .....	32-473
Palm Beach Co.—Lake Osborne land	
for Park .....	71-126-144-149-273-280
Palm Beach Co.—Protest Murphy Act sales .....	376-380
Palm Beach County—Land for Rock Pit .....	138
Pearce, Eugene L.—Adjustment land purchase .....	135-136
Pearce, Pearl—Glades County land .....	460-467
Pearce, Walter G.—Murphy Act land Lee Co. ....	480
Pearson, C. B.—Sarasota Lots .....	423
Peoples, Allen & Wynn—Government Levee land ....	51
Peoples, J. H.—Murphy Act bid Highlands Co. ....	319-334-446
Perfect, Aurie M.—Broward County land .....	189
Peters & Kemp—Everglades tax land .....	359
Pinner, B. B.—Lake Worth land .....	360-381-428
Pittman, Martha S.—Everglades tax land Dade Co. ..	305
Poare, C. C.—LaFayette Co. land .....	194
Port Richey Co.—Murphy Act bid Pasco Co. ....	411
Port St. Joe Companies—Gulf Co. land .....	236-275
Port St. Joe Companies—Reservations released .....	307
Port Tampa, City—Murphy Act land	
Hillsborough County .....	218-230-232-312-316-334
Powers, Jack H.—Murphy Act bid Highlands Co. ....	435
Putnam Co.—Murphy Act bids .....	336-339-380
Protest Rule Murphy Act .....	447
Reduction base bid Murphy Act—Highlands Co. ....	479
Remados S/D—Murphy Act bid .....	449
Rental Murphy Act land Manatee Co. ....	450
Revels & Germany—Murphy Act bid Putnam Co. ....	434-445
Rice, A. P.—Sarasota Lots .....	423
Richardson, A. R.—Everglades Tax land .....	348-414
Richardson, A. R.—Dade Co. land	
B. Danielson .....	66-69-73-81-88-98
Richardson, A. R.—Dade Co. land	
M. McCormick .....	66-69-73-81-88-98
Richardson, A. R.—Palm Beach Co. land .....	137
Riddle, Kenyon—Palm Beach Co. land .....	191
Ritta Settlers—Palm Beach County land .....	89-140
Rivers, L. W. A.—Columbia Co. land .....	398-416-417
Robertson, J. F.—Gertrude Mansfield—Sale Sarasota	
County land .....	487
Robinson, Roy—Glades Co. land .....	460-464-486
Roebuck, A. R.—Palm Beach Co. land .....	487
Rowe, Howard G.—Bid Murphy Act land Brevard Co. ....	484
Rules & Regulations Murphy Act sales .....	197-285-286-317
Sadler, B. H. & Ruth—Bid Murphy Act land .....	483
Sales approved—Murphy Act land .....	245-247-250-262-270-283-284
311-312-317-318-335-336-495	
Sanders, Wilson—Lake Conway land Orange Co. ....	139
Sanford, City of—Bid Murphy Act land .....	479
Sarasota Housing Authority—Bid Murphy Act lots ....	422
Sauls, J. H.—Nassau County land .....	114
Saunders, C. L.—Bid Murphy Act land Putnam Co. ..	333
Sandusky, C. M.—Everglades tax land Broward Co. ....	9
Scott, I. E.—Glades County land .....	460-463
Scott, T. T.—Timber trespass Levy Co. ....	88-89
Sears & Shea—Duval Co. land .....	192

	Page
Sebring, City of—Murphy Act bid Highlands Co. ....	435
Seigmeister, Walter—Highlands Co. land .....	193-220
Shands, A. G.—Orange Lake Muck Farms Co. ....	191-225-235
Shea, J. J.—U. S. Training Field Dade Co. ....	373-375
Shelley, W. P.—Wakulla County land .....	427
Shive, C. A.—Settlement purchase Contract .....	491
Shoor, Edw. D.—Sarasota Co. land .....	226
Simpson, F. J.—Dade County land .....	7
Slocum Naval Stores Co.—Convey Orange Co. land ..	426
Smith, D. C.—Murphy Act bid Cemetery lot .....	333
Smith, Wm. E.—Bid for submerged land .....	427
Snyder, S. B. & Sons—Protest Broward Co. sale .....	358
South Lake Worth Dr. Dist.—Palm Beach Co. land ..	350-360
Sovereignty land designated by Lot Nos. ....	496
Spaight, Willzell—Murphy Act bid Pasco Co. ....	411
Spangler, E. S.—U. S. Training Field .....	373-375
Speer, Geo. A.—Seminole Co. land .....	84
St. Joe Paper Co.—Gulf County land; Reservations ..	275-307
St. Lucie Co.—Ft. Pierce Park land .....	380-398
St. Lucie Co.—Spoil area Indian River .....	56-61
Stanyon, Thos.—Everglades tax land .....	177
Starck, Walter A.—Wilson Key Monroe Co. ....	136
Starling, Bertha L. Bass—Quit Claim Contract .....	113
Stein, Fritz—Adjustment Palm Beach Contract .....	140
Torry Island offer .....	322
Strickland, M. C.—Bid Murphy Act land .....	450
Styles, Beatrice—Palm Beach Co. land .....	493
Subdivisions & Acreage Murphy Act land .....	446
Sumter County—Murphy Act bid .....	481
Szady, John—Dade County land .....	69-188
Tampa Yacht Club—Murphy Act lands Hillsboro Co.	410
Tanner, Oliver—Trespass Murphy Act land Putnam	
County .....	451
Tax deed on Murphy Act land .....	343
Taylor High School—Baker County land .....	22-31
Temple Terrace, Murphy Act bid Hillsboro Co. ....	407-410
Thomas, Emory J.—Abstract on foreclosure land ....	41
Thomas Wayne—Hillsborough	
Co. Tax land .....	11-54-59-96-97-219-226-235-278-373-414
Three-Twenty-Five 1st St. Corp.—Disclaimer Murphy	
Act land Palm Beach Co. ....	250
Tingler, Chester—Book Key Monroe County .....	424
Titusville, City—Murphy Act timber, Airport land ..	432
Tobin, Laurie M.—Dade County land .....	224-264
Townes, C. C.—Adjustment Highlands Co. land .....	100
Townes, C. C.—Murphy Act bid Highlands Co. ....	319-334
Townes, C. C.—Defective title Sarasota land .....	115-150
Treadwell, E. D.—Everglades Tax land .....	348
Treadwell, J. H., Jr.—Murphy Act bid DeSoto Co. ....	244
Trustees accept regular bids Murphy Act .....	335
Trustees adopt policy leased lands .....	87
Trustees consider protested Murphy Act bids .....	339-343
Trustees discontinued Murphy Act sales .....	287
Trustees post State lands .....	64
Trustees protest transfer coastal lands .....	7-53
Trustees require Murphy Act deposits secured .....	302
Tucker, Cecil A.—Orange Co. land .....	322
Tucker, W. H.—Trespasser on Murphy Act land ....	450-460
Union Congregational Church—Murphy Act bid .....	479
Union Congregational Church—Everglades tax land..	493
U. S. Bureau of Biology—Wild Life Refuge .....	267-282-283

	Page
U. S. Civil Aeronautics—Beacon tower Broward Co.	230-232
U. S. Soil Conservation—Murphy Act lands	303-354
U. S. Farm Security Admr.—Evg. Housing program	10
U. S. Dept. Fish & Wild Life—Wakulla Co. land	427
U. S. Naval Air Base—Murphy Act land Duval Co.	282
Utey, Willard—Palm Beach Co. land	359
Uzzell, A. T.—Glades County land	112-380
Vanderipe Estate—Myakka River Park exchange	351-383
Vero Beach, City of —Indian River Co. land	463-491
Vero Beach, City of—Murphy Act bid	483
Virginia Key land—Grayden Thomas	45
Volusia County—Murphy Act bid	368-479
Walker, John C.—Hunting privileges M. A. land	446
Wallace, C. B.—Dade County land	306
Walsh, W. E., Jr.—Biscayne Bay land	5
Watson, Harley—Palm Beach Co. land	140-272-268
Watt, David A.—Pinellas Co. land	17-225-266
West, Franklin—Murphy Act land	366
Whidden, Thad—Palm Beach Co. land	87
Whidden, Thad—Everglades Tax land	19
Whitehead, F. L.—Murphy Act bid Hardee Co.	355
Wilbanks, Mae Ashton—Sarasota Co. land	416
Wild Life Service—Wakulla Co. land	443-453
Williams, Ross—Conch Key Monroe Co.	21
WIOD Radio Station—Dade Co. land	246-248-295
Wilson Cypress Co.—Timber trespass	101
Wise, Howard—Okeechobee Co. land	112-135
Wood, Hull & Kerr—Palm Beach County land	349-390-397
Wood, J. L.—Palm Beach Co. land	357-373-390
World War Veteran—Murphy Act bid Hillsboro Co.	483
Wright, Chester—Palm Beach Co. land	280
Wynn, R. A.—Duval Co. land	426
Zwicki, Emil—Palm Beach Co. land	427
Lantana, town of—Palm Beach County land	359-491
Larsen, Reba G.—Annie B. Ingram protest Murphy Act bid	481
Layfield, H. R.—J. B. Grant—Palm Beach Co. land	135
LEASES: Farm; Fill Material; Fishing Camp; General; Grass; Grazing; Land; Miscellaneous; Oil; Sand; Shell; Timber:	
Albritton, G. G.—Grazing lease Highlands Co.	30-89-137-424
Albritton, John W.—Fishing Camp Monroe Co.	252-257-269-278-281-282-298
Alfred Destin Co.—Sand lease Dade County	190
Allen, Dan—Land lease	65-69
Allen, Tom—Timber lease Levy Co.	142-190
Amphitrite Hotel Corp.—Broward County water site	322-389-492
Ashmore, C. N.—Oil lease West Dade Oil Co.	10
Ashton Rudy—Grazing lease Highlands Co.	113
Baldwin, Cyril—Grazing lease Hendry Co.	224-248-490
Barr, H. A.—Land lease Palm Beach Co.	21
Bass, Lloyd—Farm lease	113
Boss, T. L.—Land lease payment lost	382
Baumgardeur, R. U.—Timber lease Citrus Co.	362
Beers, Perry J.—Grazing lease Broward Co.	30
Blanchard, Robt.—Timber lease	258
Blanchard, W. G.—Oil lease State land	8-26
Boatwright, Argus L.—Fishing Camp Monroe Co.	257-278-282-298
Bongiovanni Joe—I and lease Okeechobee Co.	56
Boone, F. M. & A. B. Modine—Sand lease Pinellas Co.	134

	Page
Boydston, D. W.—Land lease Palm Beach Co. ....	21
Braddock, R. L.—Grazing lease Palm Beach Co. ....	359-417
Bradenton Dredging Co.—Shell lease .....	190-426
Brooks, W. J.—Lease for fire wood .....	490
Brown, Robt. M.—Shell lease .....	194
Buie, G. A.—Timber lease Columbia Co. ....	9-16-29
Burchard, R. E.—Timber lease Hendry Co. ....	176-331-489
Burkett, W. Martin—Timber lease Dead Lakes .....	30-73-113-123-320
Byron, Mark—Fishing Camp lease .....	452
Cason, Thos. A.—Grazing lease Highlands Co. ....	219
Chancey Bay Corp.—Lease payments .....	191
Chauvin, V. J.—Grazing lease St. Johns Co. ....	397
Chewning, J. C.—Grazing lease Palm Beach Co. ....	224
Clark & Driggers—Oil lease Dade Co. ....	161-179-182-184-227-280-466-491
Conley, T. W.—Grazing lease Okeechobee County .....	99-113-314-123-134-192
Consolidated Operations Corp.—Sand lease Brevard County .....	220-225-268-298-339
Cooper, Walter L.—Timber lease Suwannee Co. ....	489
Coward, C. W.—Grazing lease Orange Co. ....	398
Cummer Sons Cypress Co.—W. E. Kirchoff lease ....	275
Daniels Towing & Salvage Co.—Sand lease .....	191
Darden, J. H.—Old State Dyke lease .....	80
Davis, S. J.—Grazing lease Okeechobee Co. ....	14-491
Davis, S. J.—Land lease .....	361
Dawsey, J. W.—Timber lease Lake Ocheesee .....	99
Destin Company, Alfred—Sand lease Dade Co. ....	133
Dixie Lumber Co.—Timber lease Volusia Co. ....	255-350
Dominici, D. L.—Timber lease Martin Co. ....	304
Drake & Reeder—Oil lease .....	8-22-48
Driggers & Clark—Oil lease Dade Co. ....	161-179-182-184
Drummond, L. W.—W. E. Kirchoff timber lease .....	257
Durrance, G. C.—Grazing lease Okeechobee Co. ....	491
Durrance, Streety—Grazing lease Highlands Co. ....	307
Duval Engr. & Contracting Co.—Shell lease ....	442-454-488
Edwards, Leo.—Fishing Camp lease .....	452
Edwards, V. F.—Grazing lease Sarasota Co. ....	490
Fla. Fiber Co.—Grass lease Volusia Co. ....	193
Forman, H. M.—Grazing lease Broward County ....	63-256
Forman, H. M.—Land lease for Navy Dept. ....	383-390
Fozzard, Chas. & Harry B.—Sand lease Clay County	307
Frizzell, A. C.—Timber lease Hendry Co. ....	87
Gatine, J. B.—Land lease Palm Beach Co. ....	259
Governor Fred P. Cone—Oil lease procedure .....	60
Hancock, J. T.—Grazing lease Okeechobee Co. ....	14
Harrison, Francis A.—Diatomite lease .....	360-393
Hart, C. T.—Grazing leases Glades-Okeechobee Cos. ....	64-349
Hendry, Ralph—Grazing lease Hendry Co. ....	330
Holt, Geo. Edw.—Fishing camp lease Cape Fla. ....	389
Horobin, Thos. H.—Sand lease Biscayne Bay .....	7-12
Howard, J. S.—Grazing lease Highlands Co. ....	138
Hunt, Jas. H.—Timber lease Levy Co. ....	351
Huss, Alfred—Ft. Lauderdale land lease .....	389
Jacques, R. E.—Land lease Conch Key .....	427
Jenny, Vic—Fishing Camp lease Friend Key .....	69
Kee, E. M.—Grazing lease Highlands Co. ....	381
Kerestury, Andrew—Lease Pinellas Co. land .....	352
Kinzie Bros. Steamer Line—Shell lease .....	150-488
Kirchoff, W. E., Jr.—Timber lease Suwannee River .....	236-257-275-313-353-362-425



	Page
Knowles, Ralph—Fishing Camp lease Monroe Co. ....	490
Lincoln Investment Co.—Timber least Murphy Act .....	484
Lykes Bros.—Grazing lease Glades Co. ....	388
Maule Industries—Lease spoil banks Dade Co. ....	236-252
Maxy, L.—Grazing lease Palm Beach Co. ....	398
Mayo, Nathan—Expiration date State leases .....	429
McGeachy & Jernigan—Diatomite lease	
Santa Rosa County .....	53-61-63-67-80-95-96-326
Meyer J. W.—Timber lease Withlacoochee River .....	417
Miami Quarterdeck Club—Fishing Camp lease .....	189
Miller, Gerry—Lease Everglades tax land .....	177
Morris, C. D.—Timber lease Dead Lakes .....	415
Nelson, Geo. D.—Fishing Camp lease .....	237
Nelson, H. L. Suwannee River lease .....	142
Norfleet, Tom—Oil lease .....	26-51
North Short Corp.—Land lease Duval Co. ....	138-424
Norton, W. B.—Grazing lease Glades Co. ....	192-258-299
O'Berry, C. W.—Grazing lease Highlands Co. ....	33
Oesterricher, J. P.—Sawgrass lease Volusia Co. ....	132-400
Oil lease policy .....	53-68
Oliver, Don—Timber lease Apalachicola River .....	114
Osborn, Helen Swope—Land lease Volusia Co. ....	492
Outdoor Reflector Co.—Land lease Nassau Co. ....	102
Padgett, R. E.—Grazing lease Okeechobee Co. ....	100-487
Padgett, Duncan—Land lease Palm Beach Co. ....	33
Palm Beach Pistol Club—Pistol Range lease .....	133
Parker Bros.—Grazing lease Okeechobee Co. ....	429
Parkhill Dredging Co.—Shell lease St. Johns River .....	29
Parks, C. E.—Land lease Broward County .....	189
Parsons, W. W.—Grazing lease Glades Co. ....	81
Patten, J. L.—Lease fill material Dade Co. ....	234-240
Pearce Bros.—Grazing lease Glades Co. ....	14
Pearce, Pearl & Edna—Grazing lease Glades Co. ....	467
Peeples, J. H.—Land lease .....	65-69
Phipps, J. H.—Grazing Lease Leon Co. ....	73
Platt, B. L.—Grazing lease Glades Co. ....	57
Porter, D. E.—Mineral lease St. Johns Co. ....	381
Ramer, J. R.—Grazing lease Highlands Co. ....	330-350
Reagin, Robt. A.—Fishing Camp lease Monroe Co. ....	69
Reed, B. Marion—Lease West Fla. Rivers .....	381
Richlands, Inc.—Land lease Palm Beach Co. ....	98-398
Robertson, J. L.—Timber lease Dead Lakes .....	139
Saunders, R. R.—Oil lease Clark & Driggers .....	321
Scarborough, E. P.—Grazing lease Glades Co. ....	192-278-487
Scott, I. E.—Grazing lease Glades Co. ....	219
Scott, T. T.—Timber lease	
Hendry & Levy Cos. ....	135-252-255-298-420-438-440-452
Sebring, H. O.—Land lease .....	17
Seigmeister, Walter—Grazing lease Highlands Co. ....	487
Shelley, W. P.—Timber lease Jefferson and	
Wakulla Counties .....	19-31-443-453
Shore Acres Plantation—Grazing lease Palm	
Beach County .....	359
Shuler, E. L.—Grazing lease Okeechobee Co. ....	100
Standard Cedar Co.—Cedar lease Citrus Co. ....	61-416
Starr, Chas. E.—Oil lease Dade Co. ....	256
State Road Dept.—Land lease Ft. Lauderdale .....	323
Stewart, R. B.—Shell lease Caloosahatchee River .....	455
Stine, Carl—Spoil area to Boy Scouts Ship 19 .....	308-321
Strubbe, Frank—Oil lease Dade Co. ....	306-349
Swinney, G. W.—Land lease Glades Co. ....	13

	Page
Taylor, Lewis—Grazing lease Highlands Co. ....	193-220
Thorpe, L. J.—Timber lease Collier Co. ....	329
Tidewater Red Cypress Co.—	
Timber lease Dead Lakes ..207-287-322-345-347-363-374-384	384
Tobias, W. M.—Grazing lease Glades Co. ....	90
Tompkins, C. A.—Turpentine lease Nassau Co. ....	5
Trustees—Lease trespassers .....	194
Trustees—Lease policy .....	87
U. S. Navy Dept.—Lease Broward Co. land ....	383-390-420-422
U. S. Navy Dept.—Lease Dade County land .....	373-375
U. S. Qm. General—Bombing lease Dade Co. ....	306-344-419
Webster, Albert—Land lease Sarasota Co. ....	489
West Dade Oil Co.—Oil lease .....	21
Whidden, J. E.—Grazing lease Okeechobee Co. ....	100
Whitehurst, Geo. W.—Grazing lease Hendry Co. ....	415-452
Williams, F. H., Jr.—Grazing lease Glades Co. ....	192
Williams, L. L.—Timber lease Martin Co. ....	227
Willis, I. N.—Lease Conch Key Monroe Co. ....	400-416-427
Winn, J. J.—Land lease .....	65-69
Winthrop, Guy—Grazing lease Glades Co. ....	21-33-103-305
Winthrop, Guy—Timber lease Suwannee River .....	258
Worth, K. L.—Grazing lease Okeechobee Co. ....	299
Lee County:	
Base bid Murphy Act land .....	482-485
Fort Myers, City—Murphy Act bid .....	462
Fort Myers, City of—Protest Murphy Act bid .....	461
Kinzie Bros. Steamer Line—Shell lease .....	488
Pearce, Walter G.—Murphy Act bid .....	480
Lee, C. R.—Tax certificate on mortgage land .....	6
Lee, C. S.—Geo. A. Speer—Seminole Co. land .....	84
Lee, G. R.—Pinellas County land .....	225-237-296
Lee, J. M.—State Comptroller:	
Cancellation certificates—Murphy Act .....	146
Clerks furnish list of certificates .....	408
Lee, John M.—Everglades tax land .....	18
Lee, Joseph—Murphy Act bid protested .....	461
Lee, Marianne—Sarasota County Land; Reservation.....	253-382
LeGro, F. C. B.—Adjust Dade County purchase .....	8
Leon County:	
Clark, Florence L.—Permit Lake Iamonia .....	397
Diamond, Ruby—Murphy Act bid protested .....	408
Phipps, J. H.—Grazing lease Lake Jackson .....	73
Richardson, A. R.—Grazing lease Lake Jackson .....	73
R/W Lake Iamonia .....	3
Tallahassee Airport—Murphy Act land .....	467
Lester, Hugh—Broward Co. land .....	191-329
Leverett, R. W.—Volusia County land .....	57
Levy County:	
Allen, Tom—Timber lease State land .....	142-190
Burns Lumber Co.—Timber lease State land .....	89
Coulter, Francis—Applicant for Field Agent .....	144
Hunt, James H.—Offer for stumps.....	351
Prison Work camp on State land .....	143-233-254-388
Scott, T. T.—Timber lease;	
Trespass .....	88-89-103-252-255-420-438-440-452-492
Standard Cedar Co.—Timber lease .....	61
Whiddon, W. B.—Timber trespass .....	90
Lewis, W. J.—Sarasota County land .....	64
Lincoln Investment Co.—Murphy Act timber Dade Co. ....	484
Linn, Albert & Narra A.—Lake Osborne land .....	281
Lister, H. C.—Gulf County land .....	398

	Page
Litigation:	
King, A. S.—Murphy Act suit .....	233
Marion County condemnation suit Murphy Act .....	332
Long, J. B.—Protest Martha W. Freeman Murphy Act bid .....	408
Lowe, E. R.—John W. Albritton—Fishing camp lease .....	
Monroe County .....	252-281
Lucky, Clifford—Tax certificate on State land .....	428
Lykes Bros.—Glades County land; Grazing lease .....	350-388

## M

Mackey, Cyrus A.—Pinellas County land .....	81-89-122-132-133
Maddox, O. L.—Don Oliver lease report .....	114
Madison, Wm. M.—Duval County land—Chas. McCubbin .....	98
Mahoney, Dan—WIOD Radio Station—Dade County land .....	248
Maines, Hal Y.—Willie Croft—Union County land .....	84-90
Malsberger, H. J. St. Board of Forestry Park land .....	44
Manatee County:	
Armstrong, J. E.—Bid Murphy Act land .....	483
Bradenton Dredging Co.—Sand lease .....	190
Bradenton, City—Rental Murphy Act land .....	450-451
Burnham, E. P.—Murphy Act land .....	450
Murphy Act bids presented .....	228
Myakka River State Park—land dedicated .....	185
Palmetto, City of—Murphy Act land for Park .....	449
R/W Manatee Bridge & Tunnel .....	53-61
Sadler, B. H. & Ruthie—Bid Murphy Act land .....	483
Manatee Valley Dr. Dist.—Murphy Act lands .....	302
Manghum, A. P.—Permit for Cabbage palms .....	257
Mann, T. O.—Baker County land .....	259
Marion County—Condemnation Murphy Act land .....	332
Market, J. A.—Lake Osborne land .....	53-102-281
Marshall, Alfred P.—Adjustment Dunedin Syndicate mortgage .....	59-149
Marsicano, Ralph—R/W Old Tampa Bay .....	271
Martin, Clarence H.—Port Tampa bid .....	
Murphy Act land .....	218-230-232-312
Martin County:	
County Road R/W Murphy Act deeds .....	367
Dominici, D. M.—Timber lease L. L. Williamson .....	304
Dunscombe, Carroll—Protest Murphy Act bid .....	434
State Road Dept. R/W Murphy Act land .....	432
Williamson, L. L.—Crosstie lease Martin Co. ....	227
Maryland Land & Transportation Co.—	
Land exchange Sarasota Co. ....	111-351-383-425-488
Matecumbe Key—Chas. R. Pierce protest squatters .....	220-252
Matthews, Wesley W.—Everglades Tax land Dade Co. ..	359
Maule Industries—Spoil Banks Dade County .....	236-252
Maxwell, Clarence W.—Palm Beach Co. land .....	65-67
Maxey, L.—Grazing lease Chancey Bay Corp. ....	398
Mayo, Nathan—Expiration date State leases .....	429
Melbourne-Tillman Dr. Dist.—Bid Murphy Act land .....	
Brevard County .....	243-253-262-342
Mercer, Hubert & Teenie—Murphy Act land Jackson Co. ....	290
Messer, James—Kissimmee land for A. C. L. Ry. ....	330
League of Municipalities—Murphy Act procedure .....	167
Methodist Church Titusville—Murphy Act land .....	484
Meyer, J. W.—Log lease Withlacoochee River .....	417
Miami Beach Realty Co.—Hearing on land sale .....	45
Miami Beach, City of—Thos. H. Horobin sand lease .....	7-12

## Miami, City of:

Murphy Act land for Airport .....	127-129-167-181-246
War Dept. permit to Grayden Thomas .....	156
Protest sale Laura M. Tobin .....	265
Protest Virginia Key sale .....	43-45
Virginia Key land for County .....	281-291-315-325-327
Miami Naval Air Station—Lease Broward Co. land .....	383-390
Miami Quarterdeck Club—Fishing Camp Biscayne Bay .....	189
Miami Radio Station—WIOD—Dade County land .....	246-248-295
Milam, Geo. W.—Ft. Pierce Financing & Constr. Co.—	
Notice land sale St. Lucie County .....	56
Miles, Edith M.—Conch Key Monroe Co. ....	14
Miller, Austin—Dade County land Grayden Thomas .....	25-28-45
Miller, G. L.—Timber Murphy Act land .....	472
Miller, R. N.—Joe B. Hendry—Hendry Co. land .....	87-274
Miller, W. Gerry—Beaty & Horton—Broward Co. land .....	321-357
Lease Everglades Tax land Broward County .....	177
Minutes for Trustees—Printing by Rose Printing Co. ....	472
Mitchell, Chas. A.:	
Fellsmere Dr. District—Murphy Act land .....	462-478
Fellsmere Land Co.—Murphy Act land .....	375-411-462
Vero Beach. City of—Submerged land .....	463-491
Model Land Co.—Land exchange Dade County .....	396-428-489
Modine & Boone—Sand Lease Pinellas County .....	134-273

## Monroe County:

Albritton, J. W.—Fishing Camp	
site .....	252-257-269-278-281-282-298
Boatwright, Angus P.—Fishing Camp lease .....	257-278-282-298
Booth, J. Parkhurst—Canal reservations .....	30
Brand, Chas. G.—Bid Murphy Act land .....	368
Cohen, Elmore—Conch Key offer .....	489
Fla. Marine Service—Book Key offer .....	424
Goetz, Bernice—Tax Certificate Mortgage land .....	13
Goetz, L. E.—Conch Key offer .....	87
Jacques, R. E.—Lease Conch Key .....	140-427
Jenny, Vic—Fishing Camp lease Friend Key .....	69
Kilgore, Mrs. J. L.—Murphy Act land .....	269
Knowles, Ralph—Fishing Camp lease .....	490
Miles, Edith M.—Conch Key offer .....	14
Overseas Highway—Protest fishing camps .....	282
Pentland, Robt.—Protest Murphy Act bid .....	408
Reagin, Robt.—Fishing Camp lease .....	69
Starck, Walter A.—Wilson Key offer .....	136
State Road Dept. R/W Overseas Highway .....	473
U. S. Naval Air Station—Bombing permit .....	352
Williams, Ross—Conch Key offer .....	21
Willis, I. N.—Lease Conch Key .....	400-416-427
Moon, Clarence O.—Pinellas Co. land .....	133
Moore, J. C.—Duval Co.—Murphy Act procedure .....	175-215
Moore, M.—Columbia County land .....	490
Moore, T. V.—Spoil area Biscayne Bay .....	307
Mores, J. P.—Palm Beach County land .....	416-424
Morgan, A. E.—Taylor County land .....	415
Morris, C. D.—Timber lease Dead Lakes .....	382-415
Morris, John—Chamber of Commerce Miami— Va. Key	
land for causeway .....	291
Morrison, Mrs. Marie—Murphy Act land Wakulla Co. ....	218
Morrow, Russell O.—South Lake Worth Dr. Dist.—	
Palm Beach County land .....	315-350-360
Mortgages:	
Ball, Jas. A.—Abstract on land .....	120-121



	Page
Bayless, F. E.—Tax certificate on mortgage land	6
Bryant & Hortt—Tax certificate on mtg. land	20
Contract & Investment Co.—Lots released	20-41-59-62
Dunedin Syndicate Mortgage adjustment	149
Dunedin, City of—Mortgage adjustment	112-149
Eagle Bay Dr. Dist.—Tax liens on Mtg. land	115-119
Everglades Tax list—Mortgage land	150
Goetz, Bernice—Tax Certificate on Mtg. land	13
Hamrick, R. E.—Eagle Bay land	255
Kanner, A. O.—Geo. Wynn—Mortgage land	102
Pearce, Eugene L.—Mortgage adjustment	135-136
Starling, N. N.—Mortgage foreclosure	22
State Road Dept.—Release W. B. Harvard mtg.	120
Sumner, R. H., Jr.—Mortgage adjustment	117
Tax Certificates on mortgage land	222
Motter, H. E.—Lake Worth Dr. District—Bid on Murphy Act land	279
Moyer, M. H.—Hearing Murphy Act procedure	174
<b>Murphy Act Land:</b>	
Action on procedure	104-106-107-108-109-127-129-145-161-166-290
Advertisement modified	233
Attorney General Gibbs—Deed form adopted	233
Barco, M. O.—Salary part time	333
Bidders withdraw bids—Supreme Court Opinion	338
Bids presented	228-233-239
Butts, Elliot W.—Supplies for Duval County	239
Cancellation certificates by Comptroller	146
Clerks Circuit Courts—Bank deposits secured	302
Clerks Circuit Courts—Certify lists	251-289
Clerks Circuit Courts—Close accounts	458
Clerks Circuit Courts—Request meeting	204-208-279-285
Condemnation suit Port Tampa land	316
Duval County Resume sales	310
Dedge, Jentye—Salary	332
Deeds issued in bidders name	285
Discontinue sales	287
Disposition of certificates	343
Duval County Naval Air Base condemn land	282
Employ clerks—Purchase equipment	318
Fla. Clerks Assoc.—Plan of procedure	209-215
Florida Power Co.—R/W	112
Form of check approved	245
Forms ordered printed	228
Haines City tax lien suit	116
Kennedy, J. D.—Broward Dr. Dist. tax adjustment	249-262
Land sales resumed	302
Legal questions referred Attorney General	244
Manatee Valley Dr. District lands	302
Myers, W. B.—Wakulla County—Disposition funds	205
Okeechobee Flood Control Dist.—Canal reservations	204
Okeechobee Flood Control Dist. Moore Haven site	289
Palatka, City of—Foreclosure city liens	479
Procedure of sale: Various points discussed	106 to 110 incl.
Protest Rule modified	447-482
Refunds authorized on rejected bids	465
Rules and Regulations	179-180-181-197 to 203-216-229
	283-285-286-311-317-334-391
Sales deferred re Supreme Court Opinion	121
State Road Dept.—Deed Columbia Co. land	196
State Road reservations	317
Supreme Court opinion on liens	333-335-338-342

	Page
Tax Assessors request roll .....	229
Tax Certificates—disposition .....	284
Trustees accept bids .....	335-339
U. S. District Court—Citrus Co. suit .....	161
Volusia County—Base bids .....	368
West. Franklin—Application .....	366
Murphy, H. G.—Hardee County land .....	268
Myakka River State Park—Land exchange	
Sarasota County .....	351-362-383-425-454-488
Dedication of land for Park .....	178-185
Myers, W. B.—Wakulla County—Disposition Murphy Act	
funds .....	205

## Mc

McCaskill, Jas. M.—Geo. H. Cooper—Everglades tax land	
Dade County .....	67
McColskey, E. A.—Alachua County land .....	349
McCormick, Chas.—Murphy Act procedure .....	215
McCormick, Marian D.—Barbara Danielson—	
Dade County land .....	66-69-73-81-98-306-326-353-363-412
McCree, W. A.—Lake Conway land Orange Co. ....	32
McCubbin, Chas. C.—Deed Duval County land .....	98
McCune, C. H.—Protest Broward County sale to Hugh	
Lester .....	330
McDougald, A. W.—Protest Harry Klein Murphy Act bid	433
McDonald, Mrs. C. W.—Index Land Office records .....	117
McDonald, J. B.—Protest Murphy Act bid Park Union, Inc.	409
McFarlane, Howard:	
Mortgage adjustment Eugene L. Pearce .....	135-136
Tampa—Clearwater Bridge Co.—R/W Old Tampa Bay	272
McGeachy & Jernigan—Diatomite lease	
Santa Rosa County .....	53-61-63-67-80-95-96-326
McIntosh, M. C.—Tax lien Eagle Bay Dr. District .....	119
Mortgage foreclosure N. N. Starling .....	22
Virginia Beach bonds .....	238
McKinney, R. P.—Lake Conway Orange County .....	139
McLaughlin, J. W.—J. B. Thrasher—Permit New River	
Sound .....	149
McMichael, Douglas—Erroneous tax certificate Hills-	
borough County land .....	303
McMullen, J. L.—Clerk Circuit Court—	
Hearing Murphy Act lands .....	208-215
Land for Branford High School .....	399-415
McNeill, J. B.—Everglades tax land Dade County .....	316
McNeill R. E.—Protest sale Lake Worth Inlet District ....	315
McWilliams, W. A.—J. P. Oesterricher—Sawgrass lease	
Volusia County .....	132
McWilliams, Alex—Mayor Vero Beach—Offer for land	
Indian River County .....	463-491

## N

Naples, town of—R/W for U. S. channel .....	71-80
Napoleon B. Broward Dr. Dist.:	
Broward County—Lot for road purposes .....	73
Payment of taxes .....	345
Permit North New River Canal .....	400-401
Tax adjustment Murphy Act lands .....	249-262
Taxes Seminole Indian Reservation .....	299-306

	Page
Nassau County:	
Land lease Outdoor Reflector Company .....	102
Pickett, L. W.—Timber trespass report .....	5
Sauls, J. H.—Offer for land .....	114
Tompkins, C. A.—Turpentine lease .....	5
U. S. Land Office—Samuel Walker land .....	88
National Assoc. Audubon Societies—Lake Okeechobee hunting area .....	159
National Guard—Adjutant General Collins—Murphy Act land Clay County .....	367
Naval Air Base—Murphy Act land .....	167-168
Neal, Ray—Suggestions Murphy Act lands .....	108-109
Nelson, Geo. D.—Fishing Camp Withlacoochee River .....	237
Nelson, H. L.—W. E. Kirchoff timber lease .....	142-275-313
Newby, L. W.—Salvage Permit Suwannee River .....	416
Newell, Edw. G. O.—Tax credit Murphy Act land .....	311
Newell, Wilmon—Report on Grass planting Levy County land .....	254
New Smyrna Beach—Hull, Landis & Whitehair—Bid Murphy Act land .....	436
New Smyrna, City of—Bid Murphy Act land .....	407
New Smyrna—DeLand Dr. District—Bid Murphy Act land .....	407-409-433-445
Norfleet, Tom—Oil lease .....	26-51
North Beach Realty Co.—Description Thos. H. Horobin deed .....	7
North New River Canal—Permit Broward Dr. Dist .....	400-401
North Shore Corporation—Lease Duval Co. land .....	65-138-424
Norton, W. B.—Grazing lease Glades County .....	192-258-299
Norwood, Tyrus A.—Cody Fowler—deed Hillsboro County land .....	158
Nuchols, Charles—Tax credit error Murphy Act land .....	311

## O

O'berry, C. W.—Grazing lease Highlands County .....	33
Ocean River Corp.—Reservations released .....	239
O'Connell, Phillip D.—Eugene C. Patterson—Palm Beach County land .....	352-381
Odum, S. J.—Permit North New River Canal .....	60
Oesterricher, J. P.—Sawgrass lease Volusia Co. ....	132-400
Okaloosa County—Sou. Bell Tel. & Teleg. Co.—R/W Murphy Act land .....	484
Old Spanish Mission—Bid Murphy Act land Volusia Co. ....	436-481
Old Tampa Bay—R/W State Road Department: Attorney General reports; Hearing .....	85-94-119-264-270-293
Oliver, Don—Timber lease Apalachicola River .....	114
O'Neal Investment Co.—Orlando Yacht Club—Lake Con- way land .....	98
Okeechobee County:	
Bongiovanni, Joe—Land lease .....	56
Bonner, Leo—Kissimmee River lots .....	453
Conley, Tom—Grazing lease .....	99-113-123-134
Davis, S. J.—Land lease .....	14-361-491
Davis, S. J.—G. C. Durrance Grazing lease .....	491
Hamrick, R. E.—Mortgage Eagle Bay land .....	255
Hancock, J. T.—Grazing lease .....	14
Hart, C. T.—Grazing lease .....	64
Hunter, Jesse—T. W. Conely—Grazing lease .....	314
Padgett, R. E.—Grazing lease .....	100-487
Parker Bros.—M. A. Rosen—Grazing lease .....	429

	Page
Shuler, E. L.—Grazing lease .....	100
State Road Dept.—R/W for Road .....	400
Whidden, J. E.—Grazing lease .....	100
Wise, Howard—Bid on State land .....	112-135
Worth, K. L.—Grazing lease .....	299
Okeechobee Flood Control District:	
Canal R/W Murphy Act land .....	204-289
R/W deeds Okeechobee Levee .....	121
R/W St. Lucie Canal .....	494
Tree Planting project .....	256
Okeechobee Levee:	
Herr, Ben—U. S. refund on culvert .....	72
R/W deeds U. S. ....	423
Orange County:	
Coward, C. W.—Grazing lease .....	398
Greer, Louise B.—Lake Conway land .....	81
Giles & Gurney—Lake Conway land .....	81
McCree, W. A.—Lake Conway land .....	32
McKinney, R. P.—Lake Conway land .....	139
Refund Murphy Act bid .....	451
Slocum Naval Stores—Convey land to State .....	426
Taft Dr. District—Protest Murphy Act land .....	379
Tucker, Cecil A.—Offer for land .....	322
Orange Lake Muck Farms—A. G. Shands—	
Adjustment land sale .....	191-225-235-256-263
Orlando Yacht Club—Lake Conway land .....	98
Ormond, J. A.—Jackson County—Murphy Act procedure .....	171
Osborn, Helen S.—Land lease Volusia County .....	492
Osceola County:	
A. C. L. Ry. Company—Kissimmee land .....	330
Bronson, Geo. C.—Offer for land .....	125
Johnson, Mrs. Pat—Lake Tohopekaliga land .....	219-226-235
Kissimmee, City of—Lake Tohopekaliga land .....	141
Steed, W. J.—Offer for land .....	125
Outdoor Reflector Company—Land lease Nassau Co. ....	102
Overseas Highway:	
Monroe County protests Fishing camps .....	282
Pierce, Chas. R.—Protests squatters .....	220-252
State Road Dept.—R/W Dade & Monroe Counties .....	473

## P

Paddock & Motter—Reservations Palm Beach Co. land .....	88
Padgett, Duncan—Palm Beach County land .....	33
Padgett, Justine R.—Murphy Act bid protest by Geo. F. Westbrook .....	479
Padgett, R. E.—Grazing lease Okeechobee Co. ....	100-487
Pahokee Dr. District—Taxes on State lands .....	15-220
Palatka, City of—Foreclosure notice; Murphy Act land .....	166-479
Protest Murphy Act bid .....	379-395
Palmetto, City of—Murphy Act bid—Park and Camp .....	449
Palm Beach County:	
Alley & Burns—Reservations released .....	66
Altman, Ellis F.—Everglades tax land .....	319-328
Am. Tel. & Teleg. Co.—R/W Murphy Act land .....	439-484
Atwell, I. G.—Pedro Grau—Land sale .....	194-222
Bailey, C. A.—Offer for land .....	320
Baker, L. R.—Lake Osborne land .....	274
Barr, H. A. Land lease .....	21
Bayless, F. E.—Plat Ritta Section .....	89
Bd. Public Instruction—land sale .....	32-473



	Page
Bd. Public Instruction—Murphy Act land for school	409
Boozer & Boozer—Reservations released	66
Boydston, D. W.—Land lease	21
Boydston, Geo. L. & Cora—Lake Osborne land	281
Braddock, R. L. Grazing lease	359
Brockway, Geo. S.—Spoil material from Canal	97
Bryan & Holloway—Release reservations	351
Beck, Chas.—Everglades tax land	281-294
Beck, Herbert D.—Everglades tax land	226
Beesley, Robt. E.—Lake Worth Island	489
Bennett, Cornelia W.—Lake Osborne land	281-389
Bennett Gardens Corp.—Land sale	208
Bessemer Properties—Land sale	234
Campbell, Neil A.—Lake Worth land sale	319-370-390-415-416-468-487
Carter, J. Louis—Lake Osborne land	351
Cason & Hudson—Kreamer Island land	226-235
Cates, P. M.—Everglades tax land	19
Chalker, Geo. A.—Offer for Hiatus	87
Chancey Bay Corp.—Lease extension	191
Chewning, J. C.—Grazing lease	224
Cochran, J. E. & C. A. Bailey—Everglades tax land	423
Connell, D. T.—Connors Highway land	331
Correction Master's deed	493
Dew, Jas. A.—Land sale	21-33-57
Dodd, V. A.—Lantana land sale	359
Douthit, R. H., Jr.—Everglades tax land	188
Drainage Tax Bureau—Offer for land	134
East Shore Co.—Lake Osborne land	280
Ellis, A. A.—Release reservations	88
Freeman, Lewis G.—Exchange C. L. Wilder land	141
Gatine, J. B.—Land lease Lake Clarke	259
Godfrey, Albert W.—Lake Osborne land	280
Goodman, Roy F.—Lake Osborne land	280
Grant, J. B.—Land sale	135-487
Grau, Pedro—I. G.—Atwell—land sale	297
Greer, V. N.—Elmore Cohen offer for land	416-424
Griffin, J. M.—Land for road R/W	90-91-425-488
Hanley, Katherine—Lake Osborne land	281
Hatton, Robt. & Joseph L.—Land sale	80
Hawthorne, Vernon—Offer for land	41
Heacock, Ford W.—Everglades tax land	177
Hess & Hawthorne—Land sale; Abstract	41-68-73
Hubbell, G. A.—Offer for land	194-220-308-315
Jones, J. H.—Everglades tax land	86
Johnson, R. G.—Release reservations	300
Kelsey City Land Co.—Tax lands; Reservations	20-25
Klein, Harry—Murphy Act sale protested	434
Kingsley, George—Lake Osborne land	281
Lake Osborne land for Park purposes; Sale	71-126-144-149-273-280
Lake Worth Dr. District—Murphy Act bid	279-342
Linn, Albert & Narra A.—Lake Osborne land	281
Lantana, town of. & V. A. Dodd—land sale	359-491
Market, J. A.—Lake Osborne land	53-102-281
Maxwell, Clarence W.—Land sale	65-67
Maxy, L.—Grazing lease Chancey Bay	398
Mores, J. P.—Offer for land	416-424
Murphy Act bids accepted; held up	336-339-380
McDougald, A. W.—Protest Murphy Act bid H. Klein	433
Okeechobee Flood Control Dist.—Murphy Act land	289

	Page
Padgett, Duncan—Offer for land .....	33
Palm Beach Pistol Club—Land for Pistol Range .....	133
Palm Beach Yacht Club—Permit for land .....	34
Park Union Inc.—Murphy Act bid protested .....	408-409
Patterson, A. C.—Offer for land .....	381
Patterson, Eugene C.—Lake Mangonia land .....	352-417
Pinner, B. B.—Lake Worth land .....	360-381-428
Protested Murphy Act sales .....	376-380
Richardson, A. R.—Everglades tax land .....	348
Richardson, A. R.—Sale State land .....	137
Riddle, Kenyon—Land sale .....	191
R/W State Road Dept.—Pelican Bay parcel .....	267-282-404
Ritta Settlers—Price on marginal land .....	140
Rock pit Pelican Lake Farms land .....	138-188
Roebuck, A. R.—Offer for land .....	487
Rozelle, Frank & Susan—Quit claim deed .....	489
Sanders, R. W.—Canal reservations .....	141
Shive, C. A.—Release reservations; Contract .....	330-491
Shore Acres Plantation—Grazing lease .....	359
Simonson, R. G.—Everglades tax land .....	151
South Lake Worth Inlet District Sale; protested .....	315-350-360
Stein, Fritz—Contract adjustment; Torry Island .....	140-372
Styles, Beatrice—Sale tax land .....	493
Thomas, Emery J.—Reservations released .....	188
Tree Planting project Okeechobee Levee .....	122-143-146
U. S.—Easement for Okeechobee Levee .....	331
Utley, Willard—Reservations released .....	88
Utley, Willard—Lantana land sale .....	359
Utter, Edward B.—C. E. Thomas Contract .....	80
Watson, Harley—Land sale; Abstract .....	140-222-268
Weeks, Inman W.—Reservations released .....	30
Whidden, Thad—Land sale .....	87
Wood & Hull—Offer for land .....	349-359-373-390
Wright, Chester F.—Lake Osborne land .....	280
Zwicki, Emil—Offer for land .....	427
Palm Beach Gas Co.—Protest Harry Klein bid Murphy Act land .....	434
Palm Beach Pistol Club—Land lease for Pistol Range .....	133
Palm Beach Yacht Club—Permit for land .....	31
Protest Neil A. Campbell sale .....	372
Panama City, town of—State land used by Oil Companies .....	101
Pannill, John D.—North Short Corp.—Lease Mayport land; Squatters on land .....	114-424
Papy, Bernice—Murphy Act bid protest by Robert Pentland .....	408
Park Union Inc.—Murphy Act bid protest .....	408
Parker, J. H.—R. L. Braddock assigns lease .....	417
Parker Bros.—M. A. Rosen—Grazing lease Okeechobee County .....	429
Parkhill Dredging Co.—Shell lease St. Johns River .....	29
Parks, C. E.—Lease Broward County land .....	189
Parks, State: Highlands Hammock—Land dedication .....	44-401
Myakka River State Park—Land exchange; dedication .....	178-185-362-454
Parrish, M. M.—Procedure Murphy Act lands .....	168-173
Parsons, W. W.—Grazing lease Glades County .....	81
Pasco County: Dunson, Litha—Murphy Act bid .....	411
Humphries, Lettie C.—Murphy Act bid protested .....	450
Port Richey Co.—Murphy Act bid .....	411
Spaight, Willizell—Murphy Act bid .....	411

	Page
U. S. Soil Conservation—Withlacoochee Project.....	309-354
Patrick, A. A.—Reservations released .....	21
Patten, John L.—Lease Dade County fill material.....	234-240
Offer Dade County land .....	321-337-369-427-453
Patterson, A. C.—Palm Beach County land.....	381
Patterson, Eugene C.—Palm Beach County land.....	352-417
Patterson, Geo. L.—Murphy Act bid Dade County protest .....	377
Pearce Bros.—Grazing lease Glades County.....	14
Pearce, Eugene L.—Mortgage adjustment.....	135-136
Pearce, Pearl & Edna—Glades County land.....	460-467
Pearce, Walter G.—Murphy Act bid Lee County.....	480
Pearson, C. B.—Sarasota County lots .....	423
Peebles, F. T.—Adjustment Dunedin Syndicate .....	
Mortgage .....	29-41-59-62-95-96
Peeples, J. H.:	
Land on Old Run Canal.....	51
Murphy Act bid Highlands County.....	319-334-446
Peace, Pearl—Glades County land.....	460
Robinson, Roy—Glades County land.....	460-464-486
Winn & Allen land lease on levee .....	65-69
Pelican Bay Culvert—United States refund—Ben Herr.....	178-364
Pelican Bay:	
Richlands Inc.—Lease payment extension .....	98
Wilder, C. L.—Richlands Inc. lease.....	141
Pelican Lake Dr. District—Taxes on State land.....	15-220
Pelican Lake Farms—Rock pit Palm Beach County.....	138-188-189
Peninsula Telephone Co.—Murphy Act bid Sarasota County .....	334
Pentland, Robert—Protest Murphy Act bid Monroe County .....	408
Perfect, Aurie M.—Broward County land.....	189
Perfect, M. C.—Broward County land.....	65
Peter O. Knight Field—Hillsboro Bay area for seaplane base .....	137-165-206-207-211-212-241
Peters & Kemp—Everglades tax land Dade County.....	359
Peterson, A. B.—W. E. Kirchoff timber lease.....	313
Permits:	
Ausley & Ausley—Florence Clark Lake Iamonia permit .....	397
Broward Dr. District—North New River Canal.....	400
Bryan, Tom—Protest withdrawn War Dept. permit.....	19
Dade County Park Dept.—Miami Canal permit.....	10
East Volusia Co. Mosquito Control Dist.—Permit.....	353
Fraser, J. B.—New River Sound permit.....	149
Gulf Stream Boy Scouts—Lake Osborne permit.....	52
Harris, S. Henry—Permit Boca Ceiga Bay.....	258
International Realty Assoc.—Permit beach work.....	86
Manghum, A. P.—Permit for cabbage palms.....	257
Modine & Boone—Dredging permit Pinellas County.....	273
Newby, L. W.—Salvage permit Suwannee River.....	416
Odum, S. J.—North New River permit.....	60
Palm Beach Yacht Club—Permit on State land.....	34
Southeastern Pipe Line Co.—Pipeline permit .....	160-207-211
South Fla. Conservancy Dist.—Permit for Dyke .....	414
State Road Dept.—Permit in Indian River .....	97
St. Lucie County Sanitary Dist.—Permit .....	37
Thomas, Grayden—War Dept. permit Va. Key .....	156-160
U. S. Naval Air Station—Bombing Target permit .....	352
U. S. Bureau Entomology—C. C. C. Camp .....	120
U. S. War Dept.—Dredging Crystal River .....	63-82
U. S. War Dept.—Permit Sarasota County .....	150
West Palm Beach—Permit for spoil .....	97
Wilson Cypress Co.—Permit for Canal .....	102
Phipps, John H.—Grazing lease Lake Jackson .....	73

	Page
Pickett, L. W.—Timber trespass Nassau County .....	5
Pierce, Chas. R.—Protest squatters on Overseas Highway .....	220-252
Pinner, B. B.—Lake Worth land .....	360-381-428
Pittman, Martha Small—Everglades tax land Dade Co. ....	305
Pinellas County:	
Action deferred on Bridge & tunnel .....	69
Bethell, J. U.—Offer for land .....	89
Boone & Modine—Sand lease Big Bayou .....	134
Camp, Paul D.—W. P. Fuller offer for land .....	226-236-258
Clearwater Harbor—Spoil area .....	212
Elks Lodge Clearwater—Murphy Act bid .....	451-482
Fisher, Chas. E.—W. F. Gorman offer for land .....	13-33
Fla. Power Corp.—R/W Murphy Act land .....	112
Grazier, Allen C.—Offer for land .....	314-320 350-361
Harris, S. Henry—Acquarium permit .....	258
Hornlein, Paul—Offer for land .....	314-356
Kerestury, Andrew S.—Acquarium permit .....	352
Lee, G. R.—Sale Boca Ceiga land .....	225-237-296
Mackey, Cyrus A.—Offer for land .....	81-122-132-133
Modine & Boone—Permit Big Bayou .....	273
Moon, Clarence O.—Offer for land .....	133
Report on R/W request .....	96-97
R/W Pinellas-Manatee Bridge & Tunnel .....	53-61
R/W Mullet Key Causeway .....	53-61
Sumner, R. H.—Mtg. adjustment .....	117
Watt, David A.—Land sale .....	17-225-266
Plache, W. J.—Quit claim Murphy Act land Hillsborough County .....	230-231
Plats: Bayless, F. E.—Ritta section Palm Beach Co. ....	89
Platt, L. B.—Grazing lease Glades County .....	57
Poare, C. B.—LaFayette County land .....	194
Polk County:	
Gage, J. M.—Land sale .....	382-388-399
Hamilton, W. H.—Release reservations .....	349
State Road Dept.—RW Murphy Act land .....	468
Poston, A. A.—Kelsey City Land Co.—Sale tax lands; reservations released .....	20-25
Porter, D. E.—Lease Mineral sand St. Johns Co. ....	381
Port Richey Co.—Murphy Act bid Pasco Co. ....	411
Port St. Joe Dock & Terminal Co.—Gulf County land sale; release reservations .....	236-275-307
Port St. Joe Paper Co.—Gulf County land sale; release reservations .....	236-275-307
Port Tampa, City of—Bid Murphy Act land Hillsborough County .....	218-230-232-312-316-334
Powell, Tate—Fla. Press Assoc. Baker Co.—Procedure Murphy Act sales .....	171
Powers, Jack H.—Bid Murphy Act land Highlands County	435
Prince, John—Lake Osborne land for Palm Beach County .....	126-273-280
Protests:	
Bartholf, J. L.—Murphy Act bid Duval Co. ....	483
Best Foods, Inc.—Murphy Act bid Regal Investment Co. Hillsborough County .....	485-493-495-496
Calhoun, Mrs. W. F.—Murphy Act bid Taylor Co. ....	481
Davies, Marjorie & Joseph—Protest Palm Beach Co. sale Neil A. Campbell .....	371-468
Ft. Myers, City of—Murphy Act bid Lee County .....	461
Hansen, E. R.—Murphy Act bid Orange Co. ....	379
Ingram, Annie B.—Murphy Act bid Duval Co. ....	481
Inlet Beach, Inc.—Protest Broward Co. sale .....	358



	Page
Lake Okeechobee area protest closed hunting .....	159
Leon County—Murphy Act bid Ruby Diamond .....	408
Miami, City of—Protest sale Laura Tobin .....	265
Miami, City of & Dade County—Va. Key sale .....	45
Monroe County Murphy Act bid—B. C. Papy .....	408
Monroe County—Fishing camps on Overseas Highway .....	282
McCune, C. H.—Protest Hugh Lester sale .....	330
McDonald, J. B.—Murphy Act bid Park Union Co. ....	409
McNeill, R. E.—Sale So. Lake Worth Inlet Dist. ....	315
Palatka, City of—Murphy Act sale Putnam Co. ....	379-395
Palm Beach Co. Sale Neil A. Campbell .....	371-390-415-468-487
Pierce, Chas. R.—Squatters on State land .....	220-252
Putnam County—Murphy Act bid Rayonier, Inc. ....	480
Refund on protested Murphy Act bid .....	408
Rule of Procedure modified .....	482
Seminole County—Murphy Act bid of Herbert Reed .....	408
Snyder, S. B.—Protest Broward Co. sale .....	358
Suwannee County—Murphy Act bid M. Freeman .....	408
Trustees adopt policy—protests M. A. sales .....	339-343
Washington Co.—Murphy Act bid H. Armstrong .....	408
Westbrook, Geo. F.—Murphy Act bid J. R. Padgett ..	479
Woodward, I. M.—Murphy Act bid .....	482
<b>Putnam County:</b>	
Catholic Church Palatka—Murphy Act bid .....	451
Murphy Act bids accepted .....	380
Murphy Act bids held up .....	336-339
Palatka, City of—City liens Murphy Act land .....	479
Palatka, City of—Protest Murphy Act sale .....	379-395
Rayonier, Inc.—Murphy Act bid protested .....	480
Revels & Germany—Bid Murphy Act land .....	434-445
Saunders, C. L.—Bid Murphy Act land .....	333
Tanner, Oliver—Trespass Murphy Act land .....	451

## R

Ragan, Guy M.—Sarasota County land .....	64
Ramer, J. R.—Grazing lease Highlands Co. ....	330-350
Rand, F. H., Jr.—Hearing on Va. Key Sale .....	45
Rayonier, Inc.—Murphy Act bid Putnam County .....	480
Reagin, Robt. A.—Fishing Camp lease Monroe Co. ....	69
Reed, Herbert—Murphy Act bid protested .....	408
Reed, B. Marion—Survey mineral sand West Florida Rivers .....	381
<b>Refuges: Bird-Wild Life—</b>	
U. S. Biological Survey—White Heron Refuge .....	238-267
<b>Refunds:</b>	
Amphitrite Corp.—Lease payment .....	492
Authorize refund on rejected bid .....	465
Bennett, Cornelia W.—Lake Osborne land .....	389
Cohen, Elmore—Refund Starling deposit .....	22
Orange County—Murphy Act land .....	451
Van Roy, Frederick—Reservations refund .....	417
Regal Investment Co.—Murphy Act bid Hillsboro County .....	485-486-494-495-496
<b>Releases:</b>	
Alley & Burns—Reservations Palm Beach Co. ....	66
Baker, L. R.—Reservations Palm Beach County .....	188
Baya, Geo. J.—Reservations Dade County .....	307
Beck, Herbert D.—A. A. Patrick—reservations .....	21
Bland, W. A.—Reservations Palm Beach Co. ....	99
Bd. Public Instruction—R/W released Sarasota Co. ..	484

	Page
Booth, J. Parkhurst—Canal reservations .....	30
Boozer & Boozer—Reservations Annie Beach deed .....	66
Bryan & Holloway—Reservations Palm Beach Co. ....	351
Caldwell, S. H.—Reservations Dade County .....	115
Contract & Investment Co.—Mortgage release .....	29-41
Cooper, Geo. H.—Reservations released .....	151
Dunedin, City of—Release Dunedin Syndicate mort- gage .....	149
Dunedin Syndicate—Release mortgage .....	112-149
Glenn H. Curtiss Properties—Reservations .....	56
Eliis, A. A.—Cassel & Trinkle—reservations .....	38
Flamingo Groves Inc.—Oil reservations .....	299
Gaines Pauline—Reservations Sarasota lots .....	319
Hamilton, W. H.—Reservations Polk County .....	349
Harvey W. Seeds Post—Reservations Dade Co. ....	136
Johnson, R. G.—Oil reservations Palm Beach Co. ....	300
Kelsey City Land Co.—Reservations Palm Beach County .....	25
Lee, Marianne—Reservations .....	332
Ocean River Corp.—Reservations Charcey & Chancey ..	299
Okeechobee Flood Control Dist.—Canal reservations ..	204
Port St. Joe Deeds—Reservations .....	307
Robertson, N. G.—Reservations Sarasota Co. ....	54
Rogers & Fuquay—T. T. Cobb Mineral Reservations ..	351
Sanders, R. W.—Canal Reservations .....	141
Shive C. A.—Reservations Palm Beach Co. ....	330
State Road Dept.—Mortgage release .....	170
U. S. Engineer Office—Reservations Hendry Co. ....	400
Utley, Willard—Reservations Paddock & Mottar .....	88
Van Roy, Frederick—Mineral reservations .....	362-417
Weeks, Inman W.—Reservations Palm Beach Co. ....	30
Wynn, Geo.—A. O. Kanner—Mortgage release .....	102
Remads S/D—Bid Murphy Act land Volusia Co. ....	449-479
<b>Reports:</b>	
Scott, T. T.—Timber trespass Levy Co. ....	471
Attorney General—R/W Old Tampa Bay .....	293
<b>Resolutions:</b>	
Fla. Inland Navigation Dist.—Withdraw land from sale .....	348
Highlands Hammock St. Park—Dedication .....	77-401
Lake Okeechobee hunting closed .....	159
Park land dedication—Manatee & Sarasota Co. ....	185
Scott, T. T.—Timber lease trespass Levy Co. ....	441
Sumner R. H.—Adjust mortgage Pinellas Co. ....	118
Sutton, J. M.—Robt. Holgate credit .....	327
State land certified for Everglades taxes .....	347
State Road Dept.—R/W Old Tampa Bay .....	293
Trustees Certify land for Everglades taxes .....	85
U. S.—Title to Coastal lands .....	340
U. S.—R/W Okeechobee Levee Tree Planting .....	147
White Heron Refuge—Florida Keys .....	238-267
Revels & Germany—Murphy Act bid Putnam Co. ....	434-445
Revell, Orien—Timber Lease Dead Lakes .....	30
Rewis, L. N.—Claim Baker Co. land .....	139-189
Rice, A. P.—Sarasota lots .....	423
<b>Richardson A. R.:</b>	
Alley & Purns—Reservations Palm Beach Co. ....	66
Altman, Ellis F.—Everglades tax land Palm Beach County .....	319-328
Beck, Chas.—Everglades tax land Palm Beach Co. ....	281-294
Bessemer Properties—Palm Beach Co. land .....	234

	Page
Everglades tax land Palm Beach Co. ....	348-414
McCormick, Marian D.—Dade County land ..66-69-73-81-88-98	
Palm Beach County land .....	137
Phipps, John H.—Grazing lease Lake Jackson .....	73
Sale contract Everglades tax land .....	73
Richlands, Inc.—Extension lease payment .....	98-398
R/W State Road Department .....	282
Riddle, Kenyon—Palm beach County land .....	191
Right of Ways:	
American Tel. & Telg. Co.—Cable line Murphy Act land .....	439-484
Board Public Instruction Sarasota Co.—Murphy Act land .....	484
Clark, Florence L.—Lake Iamonia road .....	397
Dade County—Reservation Murphy Act land .....	445
F. E. C. Ry.—Conch Key .....	14
Fla. Inland Navigation Dist.—Land withdrawn .....	348
Fla. Power Co.—Murphy Act land Pinellas Co. ....	112
Griffin, J. M.—Palm Beach County land .....	90-91
Iakeland-Tampa Canal Co.—Plans for canal ....53-61-64-96-97	
Leon County—Lake Iamonia Dam .....	3
Martin Co.—Road reservation on Murphy Act deeds .....	367
Naples, town of—U. S. Charnel .....	71-80
Okeechobee Flood Control Dist.—Reservation	
Murphy Act land .....	204
Easement St. Lucie Canal .....	494
Okeechobee Levee deeds .....	121
Pinellas-Manatee Bridge & Tunnel .....	53-61-96-97
R. E. A. Power line Nassau Co., Murphy Act land ....	439
Sarasota Co. road location .....	381
Southern Bell Telephone Co.—Broward County .....	53-61
Southern Bell Telephone Co.—Murphy Act land .....	484
Southeastern Pipe Line Co.—Permit for line .....	207-211
State Road Dept.—Murphy Act land Baker Co. ....	432
State Road Dept.—Dredging area Brevard Co., .....	348
State Road Dept.—Brevard Co. Murphy Act land ....303-432	
State Road Dept.—Brevard Co. land .....	304-444
State Road Dept.—St. Johns River bridge .....	119
State Road Dept.—Easement Broward County .....	72
State Road Dept.—M. A. land Clay County .....	432
State Road Dept.—Murphy Act land Duval Co. ....446-451	
State Road Dept.—Glades County land .....	143-184
State Road Dept.—Highlands County land .....	387
State Road Dept.—Little Manatee River Hillsboro County .....	267
State Road Dept.—Murphy Act land Martin Co. ....	432
State Road Dept.—Matanzas River St. Johns Co. ....	267
State Road Dept.—Murphy Act land .....	467-480
State Road Dept.—Okeechobee County .....	400
State Road Dept.—Old Tampa Bay ..85-94-119-239-264-270-293	
State Road Dept.—Overseers Highway Monroe Co. ....	473
State Road Dept.—Palm Beach Co.—Pelican Bay..267-282-404	
State Road Dept.—Reservation Murphy Act land ....368-408	
State Road Dept.—St. Lucie County .....	51
State Road Dept.—Murphy Act land Volusia Co. ....	432
Tampa, City of—R/W Old Tampa Bay .....	227
U. S. War Department:	
Courtenay Channel Sroil area .....	177-178
Drainage Ditch Tallahassee Airport .....	467
Okeechobee Levee Easement deeds .....	331-423
Okeechobee Levee Tree Planting .....	122-143-146-256
Spoil area Hillsborough Bay .....	241

	Page
Ritta Settlers—Plat Palm Beach County land .....	89
Price of land .....	140
Rivers, L. W. A.—Columbia County land .....	398-416-417
Robertson, John Fite—Boyd Elbridge—Deed Sarasota County land .....	454-487
Robertson, J. L.—Cypress poles from Dead Lakes .....	139
Robertson, N. G.—Tax land Sarasota County .....	54-72
Robineau, Pete—Oscar Daniels—Va. Key land .....	45
Drake & Reeder Oil lease .....	48
Robinson, Roy—Glades County land .....	460-464-486
Roebuck, A. R.—Palm Beach County land .....	487
Roebuck, W. A.—Murphy Act land Palm Beach County— Okeechobee Flood Control Dist. ....	289
Rogers, Mrs. Benjamin—Protest Palm Beach County sale .....	372
Rogers & Fuquay—Mineral reservations .....	351
Rogers, Lawrence—Sale Kissimmee land to Mrs. Pat Johnson .....	219-226-235
Rorick, H. C.—Printing costs in Federal suits .....	251
Rosen, M. A.—Parker Bros.—Grazing lease Okeechobee County .....	429
Rose Printing Company—Minutes for Trustees .....	472
Rose, Walter R.—Orange County—Murphy Act procedure .....	168
Rowe, Howard G.—Murphy Act bid Brevard County .....	484
Rozelle, Frank & Susan—Quitclaim deed Palm Beach County .....	489
Rules & Regulations Murphy Act sales .....	197 to 203-233-283-285-286-317
Rural Electrification Admr.—Power line Nassau Co. ....	439
Ryan, C. L.—Grass lease Volusia County—Fla. Fiber Co. ....	193
S	
Sadler, B. H. & Ruthie—Murphy Act bid Manatee Co. ....	483
Sanders, R. W.—Cassel & Trinkle—Canal reservations ....	141
Sanders, Wilson—R. P. McKinney—Lake Conway land Orange County .....	139
Sandusky, C. M.—Broward County land .....	9
Sanford, City of—Murphy Act land Seminole Co. ....	379-479
Santa Rosa County:	
Harrison, W. W. & Francis—Diatomite lease .....	326-328-360-393
McGeachy & Jernigan—Diatomite lease .....	53-61-63-80
Sou. Bell Telephone Co.—R/W Murphy Act land .....	484
Sarasota County:	
Albee, Geo. H.—J. V. Keen—Offer for land .....	122
Albritton, Ragan & Lewis—Offer for land .....	64
Arnest, J. Douglas—quitclaim deed .....	454
Base bid City lots .....	422
Board Public Instruction—R/W Murphy Act land ....	484
Boyd, Elbridge—Quitclaim deed .....	454
Brorien, Carl—Murphy Act land for Peninsula Tel. Co. ....	334
Cobb Realty Co.—Tax land .....	54
Crisp, L. C.—Submerged land .....	100
Edwards, A. B.—Myakka River State Park—land exchange .....	362
Edwards, V. F.—Grazing lease .....	490
Gaines, Mrs. Pauline—Reservations released .....	319
Garner, E. A.—Offer for land .....	177
Ginn, Claude S.—Change in deed .....	234, 240
Grove, W. R.—J. F. Burket—land sale .....	259
Lee, Marianne—offer for land; reservations .....	353-382
Mansfield, Gertrude—Offer for land .....	487
Myakka River St. Park—Land exchange; Dedication .....	111-185
Pearson, C. B.—Offer for lots .....	423



	Page
Rice, A. P.—Offer for lots .....	423
R/W County road .....	381
Robertson, N. G.—Reservations released .....	54
Tax lands .....	72
Sarasota Housing Authority—Base bid .....	433
Shoor, Edw. D.—Offer for land .....	226
Smith, W. E.—Quitclaim deed .....	454
U. S. War Dept.—Permit Dona Bay .....	150
Webster, Albert—Land lease Paul Albritton .....	489
Wilbanks, Mae A.—Offer for land .....	416
Sarasota Housing Authority—Murphy Act bid .....	422-433
Sauls, J. H.—Nassau County land .....	114
Saunders, C. L.—Putnam County Land .....	333
Saunders, R. R.: .....	
Clark & Driggers Oil lease .....	321
Correction deed Murphy Act land .....	354-355-380
Savage, S. S.—Field Agent: .....	
Columbia County timber—Emory Carter .....	9-16
Dead Lakes timber lease .....	347
Gilchrist County land—H. E. Harlee .....	454
Hamilton County land—Geo. Brantley .....	9
Martin County—Crosstie lease .....	227
Scott, T. T.—Timber trespass Levy Co. ....	88-89-420-442-452
Scott, T. T.—Timber lease Hendry Co. ....	135-298
Timber lease D. M. Dominici—L. L. Williamson .....	304
Timber trespass Levy County .....	90-103
Trespass Putnam County land; Rental Bradenton ...	451
Murphy Act land .....	451
Volusia County—Sherrill Dillard offer .....	321
Wilson Cypress Co.—Timber trespass .....	350
Scarborough, E. P.—Grazing lease Glades Co. ....	192-278-487
Tax certificate Glades County .....	142
Schar, Paul—Everglades tax land .....	43-52
Schmidt, Albert H.—Protest Palm Beach County .....	372
Scott, I. E.—Grazing lease Glades County .....	219
Offer Glades County land .....	460-463
Scott, T. T.—Timber lease Hendry County .....	135-252-298
Timber lease, trespass, Levy County .....	88-89-103-252-255-420
438-440-452-492	
Sears & Shea—R. M. Williamson—Duval County land ...	192
Sebring, City of—Murphy Act bid Highlands Co. ....	435
Sebring, H. O.—Release land from lease .....	17
Seigmeister, Walter—Highlands County land; .....	
Grazing lease .....	193-220-487
Seminole County: .....	
Chuluota Co.—Sara G. Gleason deed .....	236
Reed, Herbert—Protest Murphy Act bid .....	408
Sanford, City of—Murphy Act land .....	379-479
Speer, Geo.—Land for C. S. Lee .....	84
Seminole Indian Reservation—Taxes on exchanged land	299-306
Shands, A. G.—Orange Lake Muck Farms .....	191-225-235-256-263
Shea, Lt. J. J.—Dade County land—Training Field .....	373-375
Sheldon, Mrs. O. W.—Index Land Office records .....	117
Shelley, W. P.—Timber lease Jefferson-Wakulla .....	
Counties .....	19-31-427-443-453
Shepard, Ben—Va. Key land sale, Dade County .....	45
Shive, C. A.—A. C. Bailey—Reservations .....	
Palm Beach County land .....	330
Palm Beach County contract adjustment .....	491
Shoor, Edw. D.—Sarasota County land .....	226
Shore Acres Plantation—Grazing lease Palm Beach .....	
County .....	359

	Page
Shuler, E. L.—Grazing lease Okeechobee Co. ....	100
Simms, John G.—R. E. Jacques—Conch Key .....	140
Simonson, R. J.—Palm Beach County Lots .....	56
Everglades taxes Palm Beach County .....	151
Simpson, F. J.—Dade County land .....	7
Slocum Naval Stores Co.—Convey Orange Co. land .....	426
Smith, D. C.—Murphy Act bid St. Lucie County .....	333
Smith, Henry F.—R. E. A. Power line Nassau Co. ....	439
Smith, Rupert—Fla. National Guard—Murphy Act land	
Camp Blanding road .....	432
Smith, W. E.—Sarasota County land .....	427-454
Snyder, S. B. & Sons—Protest Broward County sale .....	358
Saule, Major John—Lease Dade County land U. S. Q.M.	
4th Corps .....	419
Southeastern Army Air Base—Murphy Act land .....	218-230-232
Southeastern Pipe Line Co.—LeRoy Collins—Permit	
for line .....	160-207-211
South Fla. Conservancy Dist.:	
Taxes on State land .....	15-56-194-206-453
Permit for Dyke .....	414
South Hastings Dr. District—Taxes on State land .....	102
South Lake Worth Inlet Dist.—Palm Beach Co. land .....	315-350-360
Sou. Bell Tel. Co.:	
R/W Broward County land .....	53-61
R/W Murphy Act land Okaloosa-Santa Rosa Co. ....	484
Spaight, Willizell—Murphy Act bid Pasco County .....	411
Spangler, Lt. E. S.—Dade County land for Naval train—	
ing—Murphy land .....	373-375
Sparkman, S. M.—Hillsborough County—Procedure	
Murphy Act sales .....	173
Speer, Geo. A., Jr.—Seminole County land .....	84-236
St. Joe Paper Company—Gulf County land .....	236-275
Reservations released .....	307
St. Johns County:	
Chauvin, V. J.—Grazing lease .....	397
Porter, D. E.—Mineral sand lease .....	381
St. Johns River—Bostwick, Mrs. W. M.—Offer for islands	490
St. Johns River Bridge—R/W State Road Dept. ....	119
St. Lucie County:	
Ft. Pierce, City of—Land for Park .....	380-398
Ft. Pierce, City of—Spoil area .....	101
Ft. Pierce Financing & Constr. Co.—Spoil area .....	86
Indian River—R/W State Road Dept. ....	51
Smith, D. C.—Murphy Act bid .....	333
St. Lucie Sanitary Dist.—Permit .....	37
Spoil Area Indian River .....	56-61
St. Lucie Canal—R/W Easement Okeechobee Flood Con-	
trol District .....	494
St. Marks & Suwannee Rivers—Winthrop, Guy—Timber	
lease .....	258
Standard Cedar Company—Timber lease Levy & Citrus	
Counties .....	61-416
Stanyon, Thos.—Everglades tax land Palm Beach Co. ....	177
Starck, Walter A.—Offer for Wilson Key Monroe Co. ....	136
Starling, Bertha L. Bass—Contract adjustment .....	113
Starling, N. N.—Refund deposit .....	22
Starr, Chas. E.—Oil lease Dade County .....	256
State Road Department:	
Broward County—Borrow Pit Murphy Act land .....	253
Columbia County—Deed Murphy Act land .....	196-197
Ft. Lauderdale lease on Las Olas Blvd. ....	323

	Page
Harvard Mortgage—partial release .....	120
Hillsborough Co.—Murphy Act land .....	485
R/W Murphy Act land Baker County .....	432
R/W Brevard County—Dredging area .....	348
R/W Brevard County—State road .....	304
R/W Brevard County—Across Indian River .....	444
R/W Brevard County—Murphy Act land .....	303-432
R/W Broward County—State Road .....	72
R/W Camp Blanding road—Murphy Act land .....	432
R/W Duval County Murphy Act land .....	446
R/W Glades County—State road .....	143-184
R/W Highlands County .....	387-388
R/W Hillsborough County—Little Manatee River .....	267
R/W Indian River—Fill material .....	97
R/W Martin County Murphy Act land .....	432
R/W Murphy Act land—Deed form .....	368
R/W Murphy Act land—Easements .....	408-422-451-467-480
R/W Okeechobee County—State road .....	400
R/W Old Tampa Bay—Bridge .....	35-94-119-227-239-293
R/W Overseas Highway .....	473
R/W Pelican Bay, Palm Beach County .....	267-282-404
R/W St. Johns County—Matanzas River .....	267
R/W St. Johns River Bridge .....	119
R/W St. Lucie County—State Road .....	51
R/W Volusia County—Murphy Act land .....	432
State Treasurer—Transfer Everglades bonds .....	423-473-474
Steed, W. J.—Geo. C. Bronson—Osceola Co. land .....	125
Stein, Fritz—Contract Adjustment Palm Beach County .....	140
Palm Beach County land sale .....	322
Stewart, R. B.—Shell lease Caloosahatchee River .....	455
Stewart, R. W.—Tax Certificate on mortgage land .....	6
Stine, Carl—Boy Scouts lease Biscayne area .....	308-321
Stockton, Jas. B.—Jacksonville Lakeside Co.—Murphy Act land; Procedure on sales .....	168-464
Strickland, M. C.—Murphy Act land Flagler Co. ....	450
Strubbe, Frank—Oil leases .....	306-349
Styles, Beatrice—Palm Beach County tax land .....	493
Sugar Bowl Dr. Dist.—Taxes on State land .....	490
Sumner, R. H.—Adjustment Sumner-Hunt mtg. ....	117
Sumter County:	
Base bid Murphy Act land .....	481
Wynns, Walter—Protest Murphy Act bid .....	482
Supreme Court—Costs & Opinions Murphy Act ....	149-333-335-342
Surrency, Winder—R/W Sarasota County road .....	381
Surveys:	
Istokpoga Dr. District—Islands surveyed .....	86
Reed, Marion B.—Survey for Diatomite .....	381
Sutton, John M.—Va. Key land Dade County;	
Holgate credit allowed .....	29-291-315-325-326-327-336-349-361
Suwannee County:	
Adams, S. J.—Murphy Act bid .....	483
Anderson, J. Stanley—Offer for land .....	5
Branford High School—land for forestry work .....	399-415
Collins, J. E. & Esko—Offer for land .....	308
Cooper, Walter L.—W. E. Kirchoff timber lease .....	489
Cummer Sons Cypress Co.—W. E. Kirchoff lease ....	275
Fissell, F. H.—Trespass refund .....	32
Freeman, Martha W.—Protest Murphy Act bid .....	408
Grinstead, G. J.—Offer for land .....	32-90
Suwannee River:	
Drummond, L. W.—Protest Kirchoff lease .....	257

	Page
Kirchoff, W. E.—Timber lease .....	236-257-275-353-362-425
Nelson, H. L. Deadhead timber lease .....	142
Newby, L. W.—Salvage permit .....	416
Swinney, G. W.—Lease Glades County land .....	13
Szady, John—Dade County land .....	69-188

## T

Taft Drainage District—Protest Murphy Act bid Orange County .....	379
Tampa Automobile Dealers—R/W Old Tampa Bay .....	239
Tampa, City of—Seaplane base; Spanish Memorial Hillsborough Bay land .....	137-165-206-207-211
State Road Dept.—R/W Old Tampa Bay .....	227-271
Tampa-Clearwater Bridge Co.—R/W Old Tampa Bay .....	272
Tampa Yacht Club—Murphy Act land Hillsboro Co. ....	410-436-448
Tanner, Oliver—Trespass Murphy Act land Putnam Co. ....	451
Tax Assessors—Services re Murphy Act sales .....	229
Tax Certificate Lands; Tax Deeds; Tax Rolls; Etc.:	
Altman, Ellis F.—Everglades tax land Palm Beach County .....	319-328
Ames, E. A.—Everglades tax land .....	43
Arnold, E. B.—Cert. on mortgage land .....	6
Bailey, F. N. K.—Certificates cancelled .....	152
Beck, Chas.—Everglades tax land .....	281-294
Beck, Herbert D.—Everglades tax land .....	226
Bonita Preserving Co.—Everglades tax land .....	43
Breckenridge, L. D.—Everglades tax land .....	52
Bryan & Holt—Tax certs. mortgage land .....	20
Campbell, J. E.—Everglades tax land .....	143-149
Cate, P. M.—Everglades tax land .....	19
Christian Church—Tax lands .....	54
Cochran, J. E.—Everglades tax land .....	423
Cotton, J. E.—Everglades tax land .....	97
Dade County—Everglades tax land .....	9
DeSoto State Park—Tax Cert. refund .....	44
Disposition Murphy Act Certificates .....	284-343
Dowling, Frank B.—Everglades Tax land .....	43
Everglades Tax land—Murphy Act Certs. ....	473
Fla. Historical Society—M. A. Cert. ....	436
Forman, H. M.—Everglades tax land—lease .....	256
Ft. Lauderdale—City taxes on State land .....	135
Futch Act Certs.—Murphy Act Certs. ....	107-109
Goetz, Bernice—Tax Certs. on mortgage land .....	13
Hillsboro County School Bd.—Tax land .....	43
Jones, J. H.—Everglades Tax land .....	86
Kelsey City Land Co.—Tax lands .....	20
Lee, C. R.—Tax Cert. on mortgage land .....	6
Lee, J. M.—Cancel Murphy Act certs .....	146
Lee, J. M.—Clerks certify lists .....	408
Lee, John M.—Everglades tax land .....	18
Lucky, Clifford—Tax Cert. on State land .....	428
Miller, Gerry—Everglades tax land .....	177
Murphy Act land—tax deed requested .....	343
McCaskill, J. M.—Everglades tax land .....	67
McMichael, Douglas—Murphy Act land taxes .....	303
McNeill, J. B.—Everglades tax land .....	316
Napoleon B. Broward Dr. Dist.—Murphy Act land .....	249-262-345
Seminole Indian Reservation taxes .....	299-306
New Smyrna—tax on State land .....	492
Pahokee Dr. Dist. Taxes on State land .....	15-220



	Page
Pelican Lake Dr. Dist.—Taxes on State land .....	15-220
Pittman, Martha Small—Everglades tax land .....	305
Richardson, A. R.—Contract Everglades land .....	473
Richardson, A. R.—Everglades tax land .....	348-414
Robertson, N. G.—Sarasota tax land .....	72
Sandusky, C. M.—Everglades tax land .....	9
Schar, Paul—Everglades tax land .....	43-52
Simonson, R. J.—Everglades tax land .....	151
Sou. Fla. Conservancy Dist.—Taxes on State land .....	15-56-194-206-453
Sugar Bowl Dr. Dist.—Taxes on State land .....	490
Tampa Yacht Club—Murphy Act Certificates .....	436-448
Tax Assessors—Extend Murphy Act land .....	229
Thompson Realty Co.—Cert. Murphy Act land .....	378
Sou. Hastings Dr. Dist.—Taxes on State land .....	102
Stanyon, Thos.—Everglades tax certificate .....	177
State lands certified for Everglades taxes .....	85-346
Tax Certificates on Mortgage lands .....	222
Stewart, R. W.—Tax certificate Mtg. land .....	6
Thomas, Wayne—Tax land Hillsboro County .....	11-54-59-96-97-219-226-235-278-373-414
Treadwell, E. D.—Everglades tax land .....	348
Weeks, Doris S.—Tax Certificate Glades Co. ....	142
<b>Taylor County:</b>	
Brooks-Scanlon Corp.—San Pedro Bay land .....	425
Calhoun, Mrs. W. F.—Protest Murphy Act bid .....	481
Morgan, A. E.—Offer for land .....	415
Murphy Act bid by County .....	228
Taylor High School—Baker County land .....	22-31
Taylor, Lewis—Grazing lease Highlands County .....	193-220
Temple Terrace—J. M. Bregar—Murphy Act land Hillsborough County .....	375-407-410
Thomas, C. E.—Assignment Edw. B. Utter contract .....	80
Thomas, Daniel—Sale Duval County land .....	98
Thomas, Emory J.—R. L. Baker—Abstract on land; reservations released .....	41-164-188
Thomas, Grayden—Virginia Key land Dade County .....	25-28-42-45-51-58
War Department permit .....	156-160
Thomas, Wayne—Tax land Hillsborough County .....	11-54-59-96-97-219-226-235-278-373-414
Thompson Realty Co.—Tax certificate Duval County land Murphy Act .....	378
Thompson, W. W.—W. J. Placie—Murphy Act land .....	230-231
Hillsborough Co. tax land—Wayne Thomas .....	59
Thorpe, L. J.—Cross-ties Collier County .....	329
Three-Twenty-Five First Street Corp.—Disclaimer Murphy Act land Palm Beach Co. ....	250
Throop, K. M.—S. J. Odum permit North New River Canal .....	60
Tidewater Red Cypress Co.—Dead Lakes Timber lease .....	123-207-287-322-345-347-363-374-384
Tillman, Henry S.—Murphy Act land Hillsborough County—Notice waived .....	459
Tingler, Chester—Fla. Marine Service—Book Key Monroe County .....	424
Title & Trust Co.—Virginia Beach bonds .....	283
Titusville, City of—Timber on Airport site .....	432
Tobias, W. M.—Grazing lease Glades County .....	90
Tobin, Laurie M.—Dade County land .....	183-224-264
Toland, Henry—Wayne Thomas—Tax land Hillsborough County .....	373

	Page
Tompkins, C. A.—Turpentine lease Nassau Co. ....	5
Townes, C. C.—Highlands County land .....76-100-115-150-319-334	334
Tax Certificates cancelled .....	152
Towns, W. L.—U. S. Dept. Wild Life—Wakulla County land .....	427
Trammell, Clyde G.—Timber trespass Levy County .....	438-440
Treadwell, E. D.—Everglades tax land Highlands Co. ....	348
Murphy Act bid DeSoto County .....	244
Treasurer W. V. Knott—Appointed on Committee .....	60
Trespass:	
Burns Lumber Co.—Timber trespass Levy Co. ....	89
Fissell, F. H.—Refund timber trespass .....	32
Pannill, J. D.—Trespass Duval Co. ....	114
Scott, T. T.—Timber trespass Levy Co. ....420-438-440-452-492	492
Whiddon, W. B.—Trespass Levy County .....	90
Wilson Cypress Co.—Timber trespass .....	32-350
Tropical State Bank—C. C. Townes deed .....	100
True't, Lawrence A.—Title to Coastal lands .....	7-53
TRUSTEES I. I. FUND:	
Abstracts Palm Beach Co. land—Robt. Hess .....	78
Abstract Emory J. Thomas .....	41-164
Application for oil leases .....	182
Approve Minutes—Fla. Clerks Assoc. meeting .....	290
Attorney General—Legislation land conveyances .....	70-74
Bayless, F. E.—Purchase car .....	248-308-353
Bids Murphy Act land .....	239
Bryan, Tom—Dredging permit .....	19
Clerks Circuit Courts—	
List Certificates .....	107-108-109-251-289-408
Collateral for Bank deposits Murphy Act land .....	302
Committee Report: Dunedin Syndicate; McGeachy & Jernigan; Wayne Thomas; Pinellas County R/W; Lakeland-Tampa Canal .....	95-96
Correction deed by Court order .....	493
Dedicate land for Myakka River Park .....	185
Delinquent Land Contracts .....	14
Disposition Murphy Act funds .....	205
Dunedin Syndicate mortgage—Attorney General .....	59
Elliot, F. C.—Salary Murphy Act services .....	465
Everglades Dr. District—debt adjustment .....	344-346
Everglades Dr. District—Bond transfer .....	423-444
Everglades Dr. Tax Cert. list—mortgage land .....	150
Farris, J. N.—Squatter on State land .....	41
Funds for Everglades Fire control .....	162-184
Herr, Ben—Pelican Bay culvert claim .....	364
Highlands Hammock Park land sale .....	76-77
Lamb, J. M.—Not employed by Trustees .....	480
Levy County timber trespass .....	492
Levy County Work camp—State land .....	233-388
Murphy Act Agents close accounts .....	458
Murphy Act Bids—Refund Road R/W .....	367
Murphy Act Certificates disposition .....	284
Murphy Act check form approved .....	245
Murphy Act lands for Armory Board .....	367
Murphy Act forms printed .....	228
Murphy Act land—advertisement .....	233
Murphy Act legal questions .....	244
Murphy Act bid policy .....	311
Murphy Act protest rule .....	447-482
Murphy Act Refunds—rejected bids .....	465
Murphy Act sales approved .....	245-247-250-262-270-283-284
	311-312-317-318-335-336-495

	Page
Murphy Act sales—Miscellaneous questions .....	229
Murphy Act lands—S/D and Acreage .....	446
Murphy Act timber—Titusville Airport .....	432
Murphy Act sales discontinued .....	287
Murphy Act Bids allowed withdrawn .....	338
Meeting with Clerks .....	204-208
McDonald, Mrs. C. W.—Index records .....	117
N. B. Broward Dr. District—taxes .....	345
Notice delinquent contracts .....	103
Oil lease policy .....	53
Pahokee Dr. District—Taxes .....	15-220
Pelican Lake Dr. District taxes .....	15-220
Plat recorded Ritta section .....	89
Permit Leon County—Lake Iamonia .....	3
Permit S. J. Odum—N. New River Canal .....	60
Policy on land leases .....	87
Procedure Murphy Act sales .....	161-166
Protests Murphy Act land Palm Beach Co. ....	376-380
Protests Murphy Act sales .....	339-343
Protest transfer Coastal land titles .....	7-53
Quit Claim Nassau County land to U. S. ....	88
Regular bids Murphy Act accepted .....	335-339
Report Virginia Key land .....	58
Resolution—State lands for Everglades taxes .....	85-346
Resolution Lake Okeechobee hunting .....	159
Resolution Sumner & Hunt mortgage .....	118
Resolution J. M. Sutton credit .....	327
Resume Murphy Act sales .....	302
R/W Easement Murphy Act deeds .....	368
R/W Old Tampa Bay .....	94-95-264-270-293
R/W Easements State Road Dept. ....	408
R/W Tree Planting Okeechobee Levee .....	147
Rose Printing Company—Minutes printed .....	472
Rules & Regulations Murphy Act sales .....	181-197 to 203-216-334-391
Supreme Court opinion tax liens .....	335
Sanford, City of—Building on Murphy Act land .....	379
Sand & Shell Operators—Permits .....	194
Sale Everglades tax land—Murphy Act .....	473
Secretary employ clerks; Purchase equipment .....	71-318
Sheldon, Mrs. O. W.—Index records .....	117
Signs posting State land .....	64
Sou. Fla. Conservancy Dist. taxes .....	56-194-206-414-453
Southeastern Pipe Line Co.—Permit .....	160
Sovereignty land designated by Numbers .....	496
State Road reservation in Murphy Act deeds .....	317-422
Sugar Bowl Dr. District—taxes .....	490
Supreme Court decision Murphy Act .....	121-149
Surveys Istokpoga Sub. Dr. District .....	86
Tax certificate Hendry County land .....	428
Tax certificate on mortgage land .....	222
Tidewater Red Cypress Co.—timber lease .....	207
Timber trespass T. T. Scott—Levy County .....	421
U. S. Bureau Biology—Wild Life Refuge .....	267-282
U. S. deposit rock Okeechobee Levee .....	439
U. S.—Deed to Jonathan Bunker .....	74
West Palm Beach—Spoil from Canal banks .....	97
White Heron Refuge—Florida Keys .....	238-267
Tucker, Cecil A.—Orange county land .....	322
Tucker, W. H.—Squatter on Murphy Act land .....	450-460
Turner, E. D.—Miami Quarterdeck Club—Fishing Camp lease .....	189

## U

	Page
Union Congregational Church—Murphy Act bid Dade Co.	479
Everglades tax land Dade County	493
Union County—Willie Croft & Hal Y. Maines—land sale	84-90
Upham, W. W.—International Realty Assoc.—Beach improvement St. Petersburg	86
U. S.—Taxes on Seminole Indian Reservation	299-306
U. S.—Funds for fire control Everglades	162
U. S.—Hillsborough Bay land for Peter O. Knight Field	137
U. S.—Quitclaim Jonathon Bunker land	74
U. S.—R/W St. Lucie Canal—Okeechobee Levee	494
U. S.—R/W Tree Planting Okeechobee Levee	122-143-146
R/W to Levee	331
U. S. Biological Survey:	
Murphy Act land for Wild Life Refuge	283
White Heron Refuge on Florida Keys	238-267
U. S. Bureau of Biology—Wild Life Refuge	267-282
U. S. Bureau of Entomology—Permit C. C. C. Camp Dade County	120
U. S. Civil Aeronautics—Murphy Act land for Beacon tower	230-232
U. S. Congress—Resolution: Title to Coastal lands	7-53-340
U. S. Courts:	
Decision Murphy Act land Citrus County	161
Marion County condemnation suit	332
Printing Costs H. C. Rorick suit	251
U. S. Dept. of Agriculture:	
Reservations W. A. Bland land	99
Withlacoochee Development Project	64
U. S. Dept. Fish & Wild Life—W. L. Towns—Wakulla County land	427
U. S. Engineer:	
Pelican Bay culvert claim—Ben Herr	72-178
Reservations Hendry County land	400
Spoil area Courtenay Channel Brevard County	177
Tree Planting Okeechobee Levee	256
U. S. Farm Security Adm.—Everglades Housing program	10
U. S. Land Office—Quitclaim Nassau County land—Samuel Walker	88
U. S. Levee—Pelican Bay culvert claim—Ben Herr	72-178
U. S. Naval Air Station:	
Blake Key for bombing target	352
Broward County lease—modification	420-422
Duval County lands condemned	282-283
Protest sale Murphy Act land Putnam County	379
U. S. Navy Department:	
Broward County land—H. M. Forman lease	383-390
Dade County land for training field	373-375
U. S. Park Service—Permit C. C. C. Camp Dade Co.	120
U. S. Quartermaster General—Lease Dade County land Bombing area	306-344-419
U. S. Soil Conservation Service:	
Funds for Fire control	184
Withlacoochee Coterminus Project; Option	309-315-354
U. S. War Department:	
Deposit rock on Levee	439
International Realty Assoc.—St. Petersburg Beach improvement	86
Modine & Boone—Dredging Permit	273
Naples—R/W for Channel	71-80
Permit Crystal River channel	63-82
Permit Dona Bay—Sarasota County	150



	Page
Permit to Grayden Thomas protested .....	156-160
R/W Murphy Act land Tallahassee Airport .....	467
R/W Okeechobee Levee .....	423
Spoil area Clearwater Harbor .....	212
Spoil area Hillsborough Bay Peter O. Knight Field ..	241
Utley, Willard:	
Paddock & Motter—reservations released .....	88
Town of Lantana—V. A. Dodd; land sale .....	359-491
West Palm Beach—Murphy Act deeds .....	244
Utter, Edw. B.—C. E. Thomas contract assigned .....	80
Uzzell, A. T.—Glades County land .....	112-380

## V

Vanderipe Estate—Land exchange Myakka River	
State Park .....	111-351-383
Van Roy, Frederick S.—Bay View Homes—Mineral reser-	
vations; Refund .....	362-417
Veal, E. P.—U. S. Forest Service—Procedure Murphy Act	
sales .....	174
Vero Beach, City of:	
Base Bid Murphy Act land .....	483
State land offer .....	463-491
Virginia Key:	
Application Dade County .....	281-291-315-325-327
Application Grayden Thomas:	
War Dept. Permit .....	25-28-42-45-51-58-156-160
Clark, H. M.—J. M. Sutton equity .....	349-361
McIntosh, M. C.—Virginia Beach bonds .....	288
Volusia County:	
Base bid Murphy Act land .....	479
Base bid Remados S/D .....	449
Clerks Circuit Courts—Base bid .....	368
Dillard, Sherrill—Offer for land .....	321
Dixie Lumber Co.—Timber lease .....	350
East Volusia County Anti-Mosquito Dist. Permit .....	353
Fla. Fiber Co.—Grass lease C. L. Ryan .....	193
Fla. Historical Society—Murphy Act bid Old Spanish	
Mission .....	481
Gillespie, J. U.—State land offers .....	352-364-382-399
Godfrey, J. T.—Offer for land .....	352-364-382-399
Leverett, R. W.—Offer for land .....	57
New Smyrna Beach—Bid Murphy Act land .....	436
New Smyrna, City—Bid Murphy Act land .....	407
New Smyrna-DeLand Dr. District—	
Bid Murphy Act land .....	407-409-433-445
Oesterricher, J. P.—Sawgrass lease .....	132-400
Osborn, Helen S.—Lease State land .....	492
State Road Dept.—R/W Murphy Act land .....	432-468-480
Wilson Cypress Co.—Canal permit; Timber trespass ..	102-350

## W

Wakulla County:	
Glenn Realty Co.—Offer for land .....	188
Morrison, Mrs. Marie—Bid Murphy Act land .....	218
Myers, W. B.—Disposition Murphy Act funds .....	205
Shelley, W. P.—Offer for timber .....	427-443-453
U. S. Dept. Fish & Wild Life—Offer for land .....	427
Wild Life Service—Land sale .....	443-453
Walker, John C.—Hunting privileges Murphy Act land	
Brevard County .....	446

	Page
Walker, Samuel—U. S. Land office request deed .....	88
Wallace, C. B.—Dade County land .....	306
Waller, C. L.—WIOD Radio Station—Dade Co. land .....	246-248-295
Walsh, W. E., Jr.—Dade County land Biscayne Bay .....	5
Walton, Albert S.—Murphy Act land Putnam Co. ....	379-395
Wardlaw, J. Field—M. and J. Davie protest Palm Beach County sale .....	371-468
Warren, E. B.—Description Murphy Act deed .....	367
Washington County:	
Armstrong, Hoyt—Protest Murphy Act bid .....	408
Chipley, Town of—Bid Murphy Act land .....	481
Watt, David A.—Pinellas County land .....	17-225-266
Watson, Harley—Palm Beach County land; Abstract .....	140-222-268
Watson, John W.—City of Miami protests sale Virginia Key; Offer for Virginia Key .....	45-291
Webster, Albert—Lease Sarasota County land .....	489
Weeks, Doris S.—C. C. C.—Tax Cert. Glades Co. land .....	142
Weeks, Inman W.—Reservations Palm Beach County .....	30
Westbrook, Geo. F.—Protest Murphy Act bid .....	479
West Dade Oil Co.—Oil Lease Dade County .....	10-21
West, Franklin—W. W. Harrison—Diatomite lease .....	326-360-393
Murphy Act land sale .....	366
West, T. Terry—Protest Palm Beach County sale .....	372
West Palm Beach, City of:	
Brockway, Geo. S.—Spoil from canal .....	97
Murphy Act bid .....	244
Whelan, Martin F.—Murphy Act land Hialeah .....	354
Whidden, J. E.—Grazing lease Okeechobee Co. ....	100
Whidden, Thad—Everglades tax land Palm Beach Co. ....	19-87
Whiddon, W. B.—Timber trespass Levy County .....	90
Whitehead, F. L.—Bid Murphy Act land Hardee Co. ....	355
Whitehurst, Geo. W.—Grazing lease Hendry Co. ....	415-452
Widdell, Carl—Palm Beach Co. Bd. Public Instruction Offer for land .....	32-473
Wight, J. S.—Tidewater Red Cypress Co.—Timber lease Dead Lakes .....	322-345-363-374
Wilbanks, Mae Ashton—Sarasota County land .....	416
Wilcox, J. Mark—Protest sale Virginia Key .....	45
Wilder, C. L.—Richlands, Inc., lease .....	141
Wild Life Service—Sale Wakulla County land .....	443-453
Williams & Dart—Pauline Gaines—Reservations Sarasota lots .....	319
Shoor, Edw. D.—Sarasota lands .....	226
Williams, F. H., Jr.—Grazing lease Glades Co. ....	192-257-278
Williamson, L. L.—Timber lease Martin Co. ....	227-304
Williams, R. M.—Duval County land .....	192
Williams, Ross—Sale Conch Key Monroe County .....	16-21
Willis, I. N.—Sale Conch Key Monroe County .....	400-416-427
Wilson Cypress Company:	
Permit for canal work Volusia County .....	102
Timber trespass .....	32-350
Wilson Key—Starck, Walter A.—Offer for land .....	136
Wilson, R. T. & M. C.—Deed Nassau County land to J. H. Sauls .....	114
Winn, J. J.—Lease land outside Levee .....	65-69
Winters, Bert—Neil A. Campbell—Sale Palm Beach County land .....	372
Winthrop, Guy—Grazing lease Glades County .....	21-33-103-305
Timber lease St. Marks & Suwannee Rivers .....	258
WIOD Radio Station—Dade County land .....	246-248-295
Wise, Howard—Okeechobee County land .....	112-135

	Page
Withlacoochee Coterminus Project—Murphy Act land option .....	64-309-315-354
Withlacoochee River—Geo. D. Nelson Fishing camp .....	237
Wood, J. L.—Palm Beach County land .....	349-359-373-390-397
Wood, Wm.—U. S. Dept. Agriculture—Reservations Palm Beach County land .....	99
Woodbury, Myra W. Estate—Everglades tax land .....	359
Woodward, I. M.—Protest Murphy Act bid Walter Wynns .....	482
Women's League Better Gov't.—Protest sale Palm Beach County land .....	372
World War Veteran—Murphy Act land Hillsborough Co. ....	483
Worth, C. E.—State Road Dept. R/W Old Tampa Bay ....	271
Worth, K. L.—Grazing lease Okeechobee County .....	299
Wright, Chester F.—Lake Osborne land .....	280
Wynn, Geo.—A. O. Kanner—Mortgage release .....	102
Wynn, J. James—Land on Old Run Canal .....	51
Wynn, R. S.—Duval County land .....	426
Wynns, Walter—Protest Murphy Act bid I. M. Woodward .....	482

## Z

Zwicki, Emil—Palm Beach County land .....	427
---	-----